

Also, a bill (H. R. 20490) for the relief of Edson Watson; to the Committee on Claims.

By Mr. STONE: A bill (H. R. 20491) granting a pension to Rosa L. Huebner; to the Committee on Pensions.

Also, a bill (H. R. 20492) granting an increase of pension to James Sterns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20493) granting an increase of pension to Andrew R. Jones; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20494) granting a pension to Mary Gertrude Russell; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 20495) granting a pension to Arthur L. Perry; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of J. L. Amstutz and 37 other citizens of Wayne County, Ohio, asking for the passage of House joint resolution 377, relative to munitions of war; to the Committee on Foreign Affairs.

By Mr. BEAKES: Petitions of 100 citizens of Jackson, Mich., favoring House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. GERRY: Petition of Mrs. R. I. Gammell, of Providence, R. I., protesting against equal suffrage; to the Committee on the Judiciary.

Also, petitions of C. A. Crombe, George W. Eddy, Walter Hazard, of Wickford; Mrs. Sarah M. R. Aldrich, Mrs. Alice B. Ham, Marion W. Jenks, Mrs. J. W. North, Ellen M. Anthony, Barton P. Jenks, Rhode Island State Grange, and Rhode Island Woman Suffrage Association, of Providence; Helena Sturtevant, of Middletown; and Pawtucket Woman Suffrage League, of Pawtucket, all in the State of Rhode Island, favoring equal suffrage; to the Committee on the Judiciary.

By Mr. O'LEARY: Petition of citizens of the second New York congressional district, favoring House joint resolution 377, relative to munitions of war; to the Committee on Foreign Affairs.

By Mr. STEPHENS of California: Petition of citizens of Los Angeles, Cal., favoring the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, petition of Branch No. 97, Catholic Knights of America, protesting against the publication of the Menace; to the Committee on the Post Office and Post Roads.

Also, memorial of Brotherhood of Locomotive Firemen and Enginemen, Orange Grove Lodge, No. 97, of Los Angeles, Cal., favoring the passage of the Cummins-Goeke bill (H. R. 17894); to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Central Labor Council, Los Angeles, Cal., relative to increase in the wages of the employees on the Canal Zone; to the Committee on Labor.

Also, memorial of employees in engine and train service, San Francisco, Cal., favoring the passage of the Cummins-Goeke bills (S. 6165 and H. R. 17894); to the Committee on Interstate and Foreign Commerce.

Also, petition of J. C. Ernst, of Los Angeles, Cal., protesting against printing of return envelopes by the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. SWITZER: Protests of 820 citizens of the tenth congressional district of Ohio, petitioning for legislation to forbid the use of the United States mails to The Menace and similar publications; to the Committee on the Post Office and Post Roads.

By Mr. WALLIN: Petition of sundry citizens of the thirtieth New York district, favoring the passage of S. 3672, for the straightening of the Harlem River; to the Committee on Rivers and Harbors.

#### SENATE.

SATURDAY, January 2, 1915.

(Legislative day of Tuesday, December 29, 1914.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The PRESIDENT pro tempore. The regular order is the unfinished business, House bill 6060, the so-called immigration bill. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. MARTINE of New Jersey. Mr. President, I raise the point of the lack of a quorum.

The PRESIDENT pro tempore. The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	O'Gorman	Smith, Md.
Brandagee	Gronna	Oliver	Smith, S. C.
Bryan	Hardwick	Overman	Smoot
Burton	James	Page	Sterling
Chamberlain	Johnson	Perkins	Swanson
Clapp	Kern	Reed	Thornton
Clarke, Ark.	Lodge	Robinson	Townsend
Culberson	McCumber	Sheppard	Vardaman
Dillingham	Martine, N. J.	Simmons	White
Fletcher	Nelson	Smith, Ariz.	Williams
Gallinger	Norris	Smith, Ga.	

Mr. REED. I desire to announce the necessary absence of my colleague [Mr. STONE]. I believe he will be able to return to the Senate some time later in the day.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. This announcement may stand for the day.

Mr. SMOOT. I wish to announce the unavoidable absence of my colleague [Mr. SUTHERLAND].

Mr. MARTINE of New Jersey. I was requested to announce the unavoidable absence of the Senator from West Virginia [Mr. CHILTON]. He is paired with the Senator from New Mexico [Mr. FALL].

Mr. TOWNSEND. I wish to announce the absence of the senior Senator from Michigan [Mr. SMITH] and that he is paired on all votes with the junior Senator from Missouri [Mr. REED]. I desire this announcement to stand for the day.

Mr. SWANSON. My colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of sickness in his family. He is paired with the Senator from Illinois [Mr. SHERMAN].

Mr. LODGE. My colleague [Mr. WEEKS] is unavoidably absent. He has a general pair with the Senator from Kentucky [Mr. JAMES]. I make this announcement to stand for the day.

The PRESIDENT pro tempore. Forty-three Senators have answered to their names. A quorum of the Senate is not present. The Secretary will call the list of the absentees.

The Secretary called the names of the absent Senators, and Mr. SHAFROTH and Mr. THOMAS answered to their names when called.

Mr. HOLLIS entered the Chamber and answered to his name.

The PRESIDENT pro tempore. The second roll call still discloses the absence of a quorum. What is the pleasure of the Senators present?

Mr. KERN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will take due notice and enforce the order accordingly.

Mr. PITTMAN, Mr. MYERS, and Mr. BORAH entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators having answered to their names, a quorum of the Senate is present. The Senate will receive a message from the House of Representatives.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, in which it requested the concurrence of the Senate.

#### CREDENTIALS.

Mr. PITTMAN presented the credentials of FRANCIS G. NEWLANDS, chosen by the electors of the State of Nevada a Senator from that State for the term beginning March 4, 1915, which were read and ordered to be filed.

#### REGULATION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

Mr. SMITH of South Carolina. Mr. President, I offer the following amendment, which is merely to make the bill conform to the present law: On page 26, line 2, following the second semicolon, I move to insert "whether in possession of \$50, and, if less, how much." That has been suggested in order to keep the statistical tables correct.

The PRESIDENT pro tempore. The Secretary will note the amendment.

Mr. SMOOT. Mr. President, there is so much confusion in the Chamber that I could not hear the statement of the Senator from South Carolina, and I should like to have the Secretary report the amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 26, following the word "paid" and the semicolon on line 2, it is proposed to insert "whether in possession of \$50, and, if less, how much."

Mr. SMITH of South Carolina. As I stated, the reason for that amendment is that statistics are being kept under the law, and the department is desirous of knowing how much immigrants bring in up to \$50; and then the amendment states, "if less, how much," so that no matter how small an amount an immigrant should bring in the department wants to keep the table so as to show the total so brought in.

Mr. SMOOT. Does that interfere in any way with the amount required at the present time?

Mr. SMITH of South Carolina. Not at all.

Mr. SMOOT. I think the amount required at present is \$30, is it not?

Mr. SMITH of South Carolina. Yes.

Mr. SMOOT. And this is not intended in any way to increase that requirement of \$30 to \$50?

Mr. SMITH of South Carolina. Oh, no.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from South Carolina. Unless there is objection, the amendment is agreed to. The Chair hears none, and it is agreed to.

Mr. SMITH of South Carolina. On page 42, line 5, after the word "entered," I move to insert "or who shall be found in." I desire that the amendment be read at the desk, and then I will make an explanation of it.

The PRESIDENT pro tempore. That is an amendment to an amendment which has already been adopted.

Mr. LODGE. Then the amendment will have to be offered in the Senate.

Mr. SMITH of South Carolina. I withdraw the amendment. I did not notice that.

The PRESIDENT pro tempore. The vote whereby the amendment was agreed to may be reconsidered now, and the amendment proposed by the Senator from South Carolina to the amendment may be offered.

Mr. LODGE. Yes; the vote whereby the amendment was adopted may be reconsidered, and the amendment proposed by the Senator from South Carolina may then be offered.

Mr. SMITH of South Carolina. In order to expedite business, I move that the vote whereby the amendment was agreed to may be reconsidered in order that the amendment may be amended.

The PRESIDENT pro tempore. Unless there be objection the motion is agreed to. The Chair hears none. The amendment to the amendment proposed by the Senator from South Carolina will be stated.

The SECRETARY. On page 42, line 5, after the word "entered," in the committee amendment, it is proposed to insert the words "or who shall be found in."

The PRESIDENT pro tempore. Unless there is objection the amendment to the amendment will be agreed to.

Mr. GRONNA. Mr. President, may we have the whole amendment stated?

The PRESIDENT pro tempore. The whole amendment will be now read, and the question then will be on the adoption of the committee amendment in amended form. The Secretary will state the amendment as amended.

The SECRETARY. On page 42, beginning in line 4, it is proposed to strike out the words "who shall enter the United States in violation of law" and to insert "any alien who shall have entered or who shall be found in the United States in violation of this act or of any law of the United States, or who at the time of entry was a member of one or more of the classes excluded by law."

The PRESIDENT pro tempore. The question is on the adoption of the amendment as amended. Unless there is objection it is agreed to. The Chair hears none, and it is so ordered.

Mr. SMITH of South Carolina. On page 63, line 8—

Mr. REED. If the Senator will pardon me, I should like to make a motion to test the Senate's idea of taking a recess.

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Missouri?

Mr. SMITH of South Carolina. I ask the Senator from Missouri to withhold his request just for a moment.

The PRESIDENT pro tempore. The Senator from South Carolina declines to yield for the present.

Mr. SMITH of South Carolina. On page 63, line 8, after the word "descent," I propose to insert the words "except as provided in section 19 hereof." The reason for that amendment will be obvious to all who will read the language of the bill.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from South Carolina.

The SECRETARY. On page 63, line 8, after the word "descent," it is proposed to insert the words "except as provided in section 19 hereof," so that, if amended, the proviso will read as follows:

*Provided, That this act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent except as provided in section 19 hereof, nor to repeal, alter, or amend section 6, chapter 453, third session Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled "An act to regulate the carriage of passengers by sea," and amendments thereto.*

The PRESIDENT pro tempore. Unless there is objection, the amendment will be agreed to. The Chair hears none, and it is so ordered.

Mr. SMITH of South Carolina. There is just one other verbal change which is necessary to clarify the law. On page 63, line 17, I propose to strike out the word "last" and to insert in lieu thereof the word "third," for the reason that certain amendments have been made to that section which require that change.

The PRESIDENT pro tempore. The amendment proposed by the Senator from South Carolina will be stated.

The SECRETARY. On page 63, line 17, before the word "proviso," it is proposed to strike out the word "last" and to insert the word "third," so that it will read "except as mentioned in the third proviso of section 19 hereof."

Mr. SMITH of South Carolina. There have been other provisos added, and this occurs in the third. Therefore the word "last" would be misleading.

The PRESIDENT pro tempore. Unless there is objection, the amendment is agreed to. The Chair hears none, and it is so ordered.

Mr. SMITH of South Carolina. On page 12, line 25, after the word "alien" and before the word "for," I propose to insert the word "female"; in the same line I move to strike out the word "for" at the end of the line; and on page 13, line 1, I move to strike out the words "any other immoral purpose" and to insert in lieu thereof the words "to import any alien male for immoral purposes."

The PRESIDENT pro tempore. The amendment proposed by the Senator from South Carolina will be stated.

The SECRETARY. On page 12, line 25, after the word "alien," it is proposed to insert the word "female"; at the end of the same line to strike out the word "for"; on line 1, page 13, to strike out the words "any other immoral purposes," and to insert in lieu thereof the words "to import any alien male for immoral purposes," so that if amended it will read:

Sec. 4. That the importation into the United States of any alien for the purpose of prostitution or for any other immoral purpose is hereby forbidden, and whoever shall, directly or indirectly, import, or attempt to import, into the United States any alien female for the purpose of prostitution or to import any alien male for immoral purposes, or shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or shall keep, maintain, control, support, employ, or harbor in any house or other place for the purpose of prostitution or for any other immoral purpose any alien in pursuance of such illegal importation shall in every such case be deemed guilty of a felony.

The PRESIDENT pro tempore. The question is on the adoption of the amendment. Unless there is objection, it is agreed to. The Chair hears none.

Mr. REED obtained the floor.

Mr. SMITH of South Carolina. Mr. President—

The PRESIDENT pro tempore. The Senator from Missouri has been recognized.

Mr. REED. I yield to the chairman of the committee, if he wants to perfect some language of the bill.

Mr. SMITH of South Carolina. On page 62, line 19, after the word "and," I move to strike out "fourteen" and to insert "fifteen," so as to make the act take effect July 1, 1915, instead of 1914.

The PRESIDENT pro tempore. Unless there is objection, the amendment is agreed to. The Chair hears none, and it is so ordered.

Mr. REED. Mr. President, former President Taft is before the Philippines Committee this morning by its invitation, and is delivering a very interesting dissertation upon the condition of the Philippine Islands and upon the various features of the bill now pending in regard to the Philippines. I think all the members of the committee, with the exception of myself, are present at the hearing, and quite a concourse of people have assembled. The members of the committee requested me to come to the Senate and ask it to take a recess until half past 12 o'clock. In view of the fact that Mr. Taft has been President of the United States, that he has come here for the purpose of giving his advice—and he is undoubtedly one of the best-informed men in the United States with reference to the Philippines—I move that the Senate take a recess until half past 12 o'clock.



Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Minnesota?

Mr. REED. Certainly.

Mr. NELSON. Before the motion is put, I should be very glad if the Senator would allow me to offer a very brief amendment to the immigration bill, to which I think there will be no objection.

Mr. REED. Very well.

Mr. NELSON. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Minnesota offers an amendment, which the Secretary will state.

The SECRETARY. In section 3, page 7, line 11, after the word "parents," it is proposed to strike out "at the discretion of the Secretary of Labor or under such regulations as he may from time to time prescribe" and in lieu thereof to insert "except that any such children may, in the discretion of the Secretary of Labor, be admitted if in his opinion they are not likely to become a public charge and are otherwise eligible."

The PRESIDENT pro tempore. The question is on the adoption of the amendment. Unless there is objection, the amendment will be agreed to. The Chair hears none, and it is so ordered.

Mr. SMITH of Arizona. I ask unanimous consent to introduce a bill for proper reference and also to present an amendment intended to be proposed to the sundry civil appropriation bill.

The PRESIDENT pro tempore. It will require unanimous consent to do that.

Mr. SMITH of Arizona. I have asked unanimous consent.

The PRESIDENT pro tempore. The Senator from Arizona asks unanimous consent at this time to introduce a bill. Is there objection?

Mr. SMITH of South Carolina. I object.

The PRESIDENT pro tempore. Objection is made. The question is on the motion of the Senator from Missouri that the Senate take a recess until 12.30 o'clock.

The motion was rejected.

Mr. REED. Mr. President, I desire to offer an amendment. I move to strike out, on page 14, lines 14 to 16, the words "or by any person who shall first bring his action therefor in his own name and for his own benefit."

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Missouri.

The SECRETARY. In section 5, page 14, line 14, after the name "United States," it is proposed to strike out "or by any person who shall first bring his action therefor in his own name and for his own benefit."

The PRESIDENT pro tempore. The question is on the adoption of the amendment.

Mr. REED. I merely want to say a word about it. The section in which this language appears, being section 5, provides that it shall be unlawful to prepay the transportation of people coming to this country, and it provides further:

For every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for each offense the sum of \$1,000, which may be sued for and recovered by the United States—

That far I think the section absolutely unobjectionable. The language I am calling attention to and which I am asking to have stricken out is this:

or by any person who shall first bring his action therefor in his own name and for his own benefit.

Under that language, as it stands, any individual, even though he knew that the Government was prosecuting an inquiry and was about to bring action, or a series of actions, could rush into court and file suit first and recover the penalties for himself. I hardly think that is wise. I think it is very rare that a person bringing a suit for a violation of a criminal statute is permitted to retain the entire proceeds of the fine or penalty. Sometimes a person is permitted to retain a percentage of the fine or penalty, but as this clause is now drawn, if the United States authorities were investigating and were about to proceed with suits to recover penalties, an individual could rush into court and file his complaint a day or an hour before the Government authorities had filed their papers, and he could recover the fines entirely for himself. It seems to me that is extreme; it seems to me it is bad, and that the words ought to go out of the bill.

If it were desired to secure information in the prosecution of suits, I should not object if they allowed the person bringing the suit to recover a portion of the penalty, but to give him the right to recover all of the penalty seems to me to be unprecedented. Generally speaking, the promotion of litigation by of-

fering the penalties, which ought to go to the public, to the informer or to the person bringing the suit is bad policy. In most States that kind of legislation is discountenanced. I have no desire to take the time of the Senate further. I have stated the matter.

Mr. SMITH of South Carolina. Mr. President, I will state to the Senator from Missouri that that is now the existing law. It has been in operation since 1907, and no complaint has come to the committee from anyone as to the abuse which the Senator suspects may arise under it. This is the first time my attention has been called to it, and I do not know how it has operated; but the committee has no information that it has been abused nor have any cases of such abuse been cited.

Mr. GRONNA. Mr. President, I am informed that this provision is existing law, but I believe there is a great deal of merit in the suggestion of the Senator from Missouri. I believe the provision should be stricken out. If I may again refer to the case arising in North Dakota to which I called attention a few days ago, I believe that if this language had not been in the law the farmer to whom I referred would not have had suit entered against him for a thousand dollars in the case of each of the individuals from Canada whom he had employed to work for him. I know of at least one instance where advantage was taken of this particular provision of the law, and I can see no good reason why an individual should be allowed to cause another individual any expense or any trouble. I can see no good in the provision, and it ought to be stricken out.

Mr. O'GORMAN. Mr. President, I think this is a very vicious provision to be included in this or in any similar law. The mere fact that it is taken from the existing statute should not in itself restrain the Senate from striking it out at this time.

Section 5 of the bill prohibits what is called the importation of contract labor. It then imposes a fine or a forfeit of \$1,000 for every offense, and the offense may consist either of a specific agreement to give employment to an alien when he comes here, or it may consist in an attempt to induce or assist aliens to come here. The statute further provides that the United States Government may institute an action to recover the forfeit. Up to that point, perhaps, there is no objection to this measure; but now comes this additional provision, which states that such an action may be brought by any person, notwithstanding what the Government may do or may not do. The language is that this sum may be recovered—

by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid.

That opens the door, Mr. President, to the grossest kind of blackmail. An alien can come into this country, and under this statute he can claim—though his claim may have no foundation other than his own assertion—that he was induced to come into this country by some individual or corporation; and if the court believes his statement the one who was induced to come here may recover a thousand dollars and retain it.

I hope this provision will be stricken out.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. O'GORMAN. I do.

Mr. BORAH. I wish to ask the Senator from New York in what condition, if this amendment is adopted, the law will be as to being made effective, as to the punishment of those who do violate the law?

Mr. O'GORMAN. Why, take, for illustration, the case of an alien who has been induced, in violation of the statute, to come into this country. He may give his information to the United States authorities, or they will acquire it in ordinary course, at our various ports. They will communicate their information to the Department of Justice. The Department of Justice, if the case is sufficiently clear, will commence its suit against the offending person and recover the forfeit.

Mr. BORAH. The amendment has the effect of taking out of the bill the inducement to activity upon the part of individuals.

Mr. O'GORMAN. No; there may be other inducements short of the one provided for in the bill. The bill gives to an alien who comes here in violation of the law the extraordinary remedy of commencing an action and recovering the entire penalty and retaining it for himself.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

Mr. O'GORMAN. Surely.

Mr. CLAPP. It seems to me this is the most vicious form of informer provision along this line that we have ever had. I think we rejected the whole principle of the informer in our antitrust legislation after debating the proposition. Now, this

law—and the fact that this provision has been in the law is no reason simply of itself why it should remain there—goes further than that, and holds out to the man who has violated the law, or who will claim a violation of the law, an inducement backed by the prospect of recovery by himself of the fine.

Mr. SMITH of Arizona. He can violate the law and then make money out of it.

Mr. CLAPP. Yes. It encourages blackmailing a man, because back of the effort to blackmail is the blackmailer's own benefit in the way of the thousand-dollar fine which he recovers. It seems to me that it is intolerable in connection with our American principles.

Mr. O'GORMAN. In this connection I should like to call attention to an instance that came under my observation recently, showing how drastic this law is, without giving the alien the right to invoke its benefits by an individual suit.

A lawyer in the city of Buffalo not many months since received a letter from a lawyer's clerk in Toronto, Canada, in which the writer said he had been employed in a law office for nearly 30 years; that his work was largely that of a scrivener. Indeed, he did the class of work in a law office that in most offices in this country is now done by the typewriter. He asked if he could get employment if he came over to Buffalo. If you remember, it is probably only an hour's distance. The Buffalo lawyer acknowledged the letter and said: "I shall be glad to see you when you come over here." The clerk came over and was employed, I think, at \$12 a week, or some such salary. There probably was no other man in the law office in Buffalo who could do the particular work that this individual was able to do. The attention of the Federal authorities was called to this alleged violation of the law, and the Department of Justice communicated with the district attorney at Buffalo. There seemed to be such a complete absence of any design or purpose to evade or violate the law that no proceeding was taken to prosecute the lawyer in Buffalo, but if the clerk who sought the position and who received the encouragement to come over to Buffalo and make a personal application for the place was so inclined he could avail himself of this particular paragraph of the law and demand a thousand dollars' forfeit, just as was done in the case the Senator from North Dakota [Mr. GRONNA] spoke about some days ago.

I hope this provision will be stricken out.

Mr. LODGE. Mr. President, this provision, which is in the existing law, if my memory serves me right, goes back some distance in our legislation. It was put in owing to the extreme difficulty in getting evidence of violations of the contract-labor law.

I was on a committee appointed by the Senate to investigate the subject of contract labor in 1893, I think. Senator David B. Hill, of New York, was chairman of the committee. We held an investigation in the city of New York. The committee obtained an entire conviction in their own minds that the contract-labor law was being violated in many ways; but they were met at every step, when they made inquiries of the law officers of the Government, with the statement that it was extremely difficult to get the necessary evidence, or to get information which would enable them to enforce the law. It was for that purpose that this provision was put in—to get the evidence and to get the information necessary for enforcing the contract-labor law.

I see very plainly the objection to giving to the informer the right to sue and recover; but the contract-labor law is an extremely difficult one to enforce. It is extremely difficult to get the evidence necessary, and that is the reason for this clause. I know it is exceptional, but I think it was felt at the time by the committees of both Houses that it was necessary to have some exceptional provision in order to enforce the contract-labor law as it should be enforced.

Mr. O'GORMAN. Mr. President, I desire to put an inquiry to the Senator from Massachusetts. Does not the Senator from Massachusetts believe that an opportunity to reward the informer under the terms of this language is likely to be a prolific source of blackmail and oppression?

Mr. LODGE. It has not been, as a matter of fact.

Mr. O'GORMAN. In the instance cited a few days ago by the Senator from North Dakota [Mr. GRONNA] it was.

Mr. LODGE. I do not know about that particular instance, except that I believe I am right in saying that the farmer was trying to bring in some Hindus from Canada—nine, I think—and it was a clear violation of the law. I do not know how the information was given, but there was no doubt that it was a violation of the contract-labor law.

As the senior Senator from New York has suggested, and as the junior Senator from New York well knows, this is not a new plan. It has been adopted in many criminal statutes

where it has been found necessary in order to get information for the enforcement of the law.

Mr. CLAPP. Mr. President, does the Senator recall any criminal statute where the party himself, who assumes the rôle of informer, is rewarded? I do not think we have ever carried legislation to that extent. We have carried it to the extent of rewarding the informer; but this, it seems to me, goes farther than any legislation we have ever had and rewards the individual who is a party to the offense, or alleges himself to be.

Mr. LODGE. I do not think that has been uncommon in criminal legislation.

Mr. CLAPP. I certainly think it has.

Mr. LODGE. But it is a question of the enforcement of this law; and, as I have said, it is extremely difficult to get the evidence. I do not like the business of rewarding informers in any law, but sometimes it becomes absolutely necessary, just as it becomes absolutely necessary for the law officers of the Government to grant immunity, we may say, to a criminal who turns State's evidence. It is undesirable, perhaps, theoretically, but it becomes necessary for the punishment of crime; and from my experience on that committee I know the extreme difficulty there is in getting the evidence.

We found in New York many cases of Italian padrones who brought young boys to this country and held them under an agreement and took all their wages. The cases were clear enough, but it was almost impossible for our law officers to get the necessary information to prove a case in court.

Mr. O'GORMAN. The Senator does not suggest that the condition to which he refers obtains at this time in New York among the Italians?

Mr. LODGE. Oh, I mentioned New York only because it was there that we happened to hold the inquiry. I have no doubt it obtained in Boston and elsewhere. No; I do not think it does.

Mr. O'GORMAN. That was a very objectionable practice, which was corrected many years ago in various cities of the United States.

Mr. LODGE. I think it was corrected very largely as a result of that investigation; but it existed. I used it only as an illustration. It was to reach similar cases that this provision was put in the law.

Mr. REED. Mr. President, I find that the amendment that I offered, somewhat hastily, is not complete. I desire, therefore, to offer the following as my amendment:

On page 14, lines 14 to 17, strike out the following language:

Or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid.

Mr. President, the fact that this clause has been in the law for some little time, and that no great wrong has yet developed, does not warrant us in allowing it to remain in the law. It is absolutely certain to my mind that some enterprising shyster lawyer will some day enter upon the exploitation of this clause of the law. It is also entirely plain to me that it will become a ready weapon in the hands of the blackmailer. It ought not to be left in. It is a sort of legal deadfall, which should not exist.

As I said a moment ago, I have known of many statutes which provided that an informer might receive a part of the penalty, but I have no recollection of any statute which provides that an informer shall receive the entire penalty; that he can even cut the Government out of the penalty by filing his suit five minutes before the Government brings its suit. Neither do I know of any law which rewards a party to a crime, which actually pays him a premium. I do know of many instances, as we all do, of men who have given information to the Government who have thereby escaped punishment themselves. This, however, is a question of rewarding the individual, of giving him the penalty, and it certainly is a very extreme measure.

Mr. JAMES. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Kentucky?

Mr. REED. I do.

Mr. JAMES. Is it not true that the only way you can get evidence of the importation of these laborers is by going abroad for the evidence, to some one there who knows of the facts or to the man himself who is brought here? And is not the Government greatly handicapped unless you do put some provision like that in here? Because you have to get the evidence from the man himself, or from some other person in the foreign country who heard of the inducement that was offered to bring the man here. I feel sure this provision should be kept in this bill, because it is the most effective possible way to prevent the importation by corporations of contract labor.



Mr. REED. No, Mr. President; I can not agree with the Senator from Kentucky that those are the only means. Let me illustrate. A steamship company might be engaged in this business. Some employee of that steamship company might disclose the practice of inducing people to come here in violation of this statute. An employee, we will say, of a steel mill might know of these practices. The ordinary laborer in the steel mill might learn, from talking with men who came over and who took employment, that they had been brought over under inducements of some kind. The secret service of the whole Government is at the command of the Government.

Mr. JAMES. Of course that would be hearsay testimony only. You would have to go to the man himself in order to prove it.

Mr. REED. Why, of course, I understand that the mere fact that somebody told the man could not be produced in evidence; but if these men had told others, and the facts became known, and there were great crowds being brought in, it is almost certain that the Government, being put upon the trail of the evidence, could easily find somebody who would tell the facts; and they could follow it to the corporations themselves, put the agents of the corporations upon the stand, and disclose the truth of the matter in that way, just as we get at the fact that a trust has been formed. All of these questions, as the Senator knows—for he is a lawyer of eminence—have their difficulties, but they are not insurmountable ones.

Mr. JAMES. The Senator himself, though, as I recall, advocated such a provision in the antitrust bill. I know I myself advocated a provision of that character, because it is extremely hard to get these facts from any other person than those who are directly connected with them, generally, in the violation of the law. If it was a good thing in the case of the antitrust law, where all the people are here in this country, I can not see why it is not a very good thing where your testimony, if you do not rely upon something like this, has to be obtained from a country where we have no jurisdiction.

Mr. REED. I think the Senator is in error about my having advocated a proposition like this in any law.

Mr. JAMES. I did not say exactly like this, but I said that the Senator advocated a provision, if I am not mistaken, in the antitrust law which gave to any clerk or any person working for a corporation a reward in case of conviction.

Mr. REED. Exactly; that the Attorney General was authorized to make an agreement to pay a reward not exceeding 10 per cent of the penalties which might be recovered. I think it was 10 per cent. Now, that is very different from this.

I stated in the beginning of my remarks, when, I think, the Senator was absent, that if this bill provided that some portion of the penalty might be paid to an informer it would put it in a different class. This does not even go to the informer, to the man who furnishes the evidence. It goes to the man who first files a suit, and that man may be the individual who was imported himself. That is a startling proposition to me.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. If the Senator will permit me, it seems to me that it would be a very difficult thing under this section to blackmail after all, for the reason that the basis of the right to recover is the finding that the law has been violated. There shall have first been a violation of the law and a finding to that effect, and upon that finding, as I understand the section, and by reason of it, this forfeiture is made. Anyone in the United States may sue for the forfeiture, or one of the aliens who has been brought over here may sue for the forfeiture. If the contract-labor law has been violated, is it unjust or at all unwise to permit the man who has been induced to come here to recover this forfeiture?

Mr. REED. I think it is highly unwise.

Mr. BORAH. He does not get his forfeiture by reason simply of giving information. He is not given this amount of money by reason of disclosing the fact; but if a judgment shall have been rendered to the effect that the law has been violated, he may then sue for the recovery.

Mr. REED. Answering the Senator from Idaho, of course it can be made the means of blackmail. Suppose a man is brought to this country under contract, and this law stands as it is now written. That individual can go to the man who brought him here and say, "If you do not give me \$500, I shall file a suit, take the stand and testify, and you will have to pay \$1,000; and, more than that, you will be liable to criminal penalties." So it could be used as a means of blackmail.

But notice now, this does not provide that whoever shall bring information to the Federal authorities leading to the arrest and conviction of a violator of this law shall be paid a

portion of the penalty, but the proposed law, as it now stands, provides that any person may file a suit; and if he has filed it one minute before the Government has filed its petition his suit takes precedence and he recovers the penalty, and the Government gets nothing. I think that is extreme. But I do not desire to detain the Senate further.

Mr. O'GORMAN. Mr. President, I desire to make only one observation in connection with the remarks made by the Senator from Idaho [Mr. BORAH]. The very language of section 5 does not contemplate that before the alien begins his suit to recover the penalty it must previously have been adjudged that it was a violation. I think if the Senator will look at the section, he will find that all that need be done, if this law is to remain as it is, is that any alien can initiate a suit in his own name, whether it be well founded or not, and claim that he was induced to come into the country because of some promise or encouragement given to him by an American; and if he succeeds in making out his case, he will recover. But regarding the suggestion that this can be used as a means of blackmail, let us suppose a case where an alien, perhaps under the evil influence of some attorney, should say, "You promised to give me employment if I came to this country; you violated the law." The citizen might deny it, and yet under a threat that such a charge would be made against him he might, like in many other cases of blackmail, yield to the extortion.

Mr. BORAH. Mr. President, I do not believe I am in error as to the interpretation I place upon section 5. Perhaps I might have been misunderstood to mean that there should precede a judgment of violation before the party could recover. If so, in that respect I would be in error. But there must be at some time a determination or a judgment to the effect that the law has been violated. That is the basis of the right to recover. It may be in the same action which is brought for the purpose of recovery, but there must be a violation of the law and some tribunal or court must determine that there has been a violation of the law, and if there has been a violation of the law then the party may recover \$1,000 or any part of it. I do not believe that would be an unwise provision to put in any bill. But we know—we have been informed by the Senator from Massachusetts [Mr. LODGE]—that it has been almost impossible to enforce the law in regard to the importation of immigrants under contract, and it is being constantly, I am informed, violated. In these days it needs something in a drastic form in order to remedy the evil.

Mr. THOMAS. I should like to ask the Senator from Idaho before he takes his seat whether the importation of, say, 1,000 immigrants or contract laborers in a body would, under the phraseology of this section, constitute more than one offense, or whether the offense would be multiplied by as many times as there are contract laborers in the importation.

Mr. BORAH. The Senator is a very great lawyer. What does the Senator think about it?

Mr. THOMAS. I am informed by the Senator from Maine [Mr. JOHNSON] that that is covered by a clause in the same section. The clause to which my attention is called reads:

And under either the civil or the criminal procedure mentioned separate suits or prosecutions may be brought for each alien thus offered or promised employment as aforesaid.

I think that would cover it.

Mr. ROOT. Mr. President, I want merely to make a suggestion about this provision. There is nothing new about it, nothing peculiar. It is the old *qui tam* action which has existed in our law time out of mind. The judiciary act—the act of February, 1799—provides:

That if any informer on a penal statute, and to whom the penalty or any part thereof, if recovered, is directed to accrue, shall discontinue his suit or prosecution or shall be nonsuited in the same, or if upon trial judgment shall be rendered in favor of the defendant, unless such informer be an officer of the United States he shall be alone liable to the clerks, marshals, and attorneys for the fees of such prosecution.

Under that form of action, known to the common law, familiar both in England and America, and from the earliest times, it seems the person stigmatized as the informer in this character of litigation brings his suit. It is of no particular consequence whether the statute which allows him to bring it gives him all or half or any part of the proceeds of the penalty for which he sues. The statute which I have just read, which is indexed under the head of *qui tam* actions in the Revised Statutes of the United States, refers as an existing kind of action to the old *qui tam* action. I have not thought very much about whether this provision is necessary or desirable in these cases or not, but it is not anything new. It is merely applying to this particular statute the expedient which we have always from our early history availed of in a particular class of cases and a particular class of statutes, statutes where the information necessary to maintain suits to remedy an evil, to prevent

an evil practice, is lodged in the bosom of persons who are concerned in the transaction, and where you can not get it out except by appealing to self-interest and getting somebody to turn informer. It is a disagreeable field upon which to enter. Anyone who has been charged with the conduct of Government prosecutions must have felt great repugnance in entering upon it, but it has been the experience and common judgment of all Governments that it is sometimes necessary. This seems to be a kind of an evil which can be reached only by this very disagreeable method.

In every case where you have recourse to informers you must recognize the fact that the appeal is not to the nobler impulses, and there is always opportunity for blackmail, but it is the choice between leaving the law unenforced and the evil to which the law is aimed at unredressed, on the one hand, or creating a situation in which the appeal to self-interest or of emolument to an informer will leave an opportunity to blackmail. There is a choice in it, but if you want the law enforced it is necessary that you shall have recourse to this old expedient, a *qui tam* action.

Mr. O'GORMAN. Mr. President, I do not agree with my distinguished colleague [Mr. Root] that this is the only alternative, that you must either encourage suits by informers or suffer the nonenforcement of the law. The Labor Department, with its tremendous power and instrumentalities, will never have any difficulty in ascertaining through its agents and its secret service whether the law is being enforced or violated. There are perhaps always ways of giving some reward to those who may be able to furnish information. I think that answers the main contention made by my colleague.

It is not necessary to conclude that this law can not be enforced. I believe it can be enforced and enforced by the department in charge of the responsibility of enforcing it, and where violations occur they will be punished in due course, first, by being exposed to a fine of a thousand dollars in each case in a suit brought by the Government, and in addition to that being subject to criminal prosecution. The language up to that point is sufficiently drastic, in my judgment, without going to a most extreme extent without a precedent in the history of this Government.

My colleague cites authorities which really do not apply here, where you might under certain circumstances feel it necessary to give to a citizen of the country the right to institute an informer's action. When before did we ever attempt to confer this right upon aliens coming here in violation of the law, aliens perhaps who might not be permitted to go beyond Castle Garden or the port at which they land, which is the cause of the violation; yet while at Castle Garden, acting under the influences of a designing attorney, they can under this language, if it be retained, commence individual civil actions seeking to recover a thousand dollars for every violation.

Mr. REED. The Senator has been a judge of distinction. Let me ask him if he does not believe it would be dangerous to justice itself to put witnesses upon the stand everyone of whom might have been made parties plaintiff in a suit and everyone of whom would receive a thousand dollars in the event of a judgment?

Mr. O'GORMAN. By cooperating with one another?

Mr. REED. By cooperating with one another.

Mr. O'GORMAN. I think the main objection to this measure is the extent to which it may be used for purely blackmail purposes. Where there has been a real violation of the law there should not be much difficulty in the Labor Department through its agents ascertaining the violation and then having the Government begin its suit.

Mr. TOWNSEND. Mr. President—

Mr. O'GORMAN. I yield to the Senator from Michigan.

Mr. TOWNSEND. As I understand it, this language is already in the law.

Mr. O'GORMAN. Yes.

Mr. TOWNSEND. May I ask the Senator if he knows whether under its operation and enforcement the things to which the Senator refers have actually occurred?

Mr. O'GORMAN. No; I do not. The chairman of the committee states this provision has not been the subject of any consideration whatever by the Immigration Committee. It went through as a matter of course. The first time that this objectionable paragraph has received the attention of the Senate is this morning, when called to our attention by the Senator from Missouri [Mr. REED].

I have but one further word to say. Opinions may differ as to the advisability of permitting informers to be benefited financially as the result of information which they give to the authorities. There are those who think it is a very wise policy. There are those who condemn it. I think it is the judgment of

most persons who have considered the subject that the evil associated with such laws far exceeds any possible benefit that may come from it.

The latest expression of this body on this identical subject was made some few months ago when we were discussing the antitrust legislation. The Senate, by its action with regard to that legislation, declared that it would not favor laws which could be made the instruments of blackmail, extortion, and oppression, because they minimized if they did not entirely exclude in the antitrust laws all possibility of informers profiting financially by information, true or false, that they might offer.

I have no hesitation in affirming that the average informer is so lost to moral responsibility, as a rule—there are exceptions, but as a rule—that he will not hesitate to perjure himself if by so doing he can bring money to his pocket.

Mr. ROOT. Mr. President, the effect of permitting informers to assume this attitude has had consideration and has been the subject of legislation. Section 5295 of the Revised Statutes, passed shortly before there was general liberty granted to persons interested in litigation to testify, provides that—

Any officer or other person entitled to or interested in a part or share of any fine, penalty, or forfeiture incurred under any law of the United States may be examined as a witness in any of the proceedings for the recovery of such fine, penalty, or forfeiture by either of the parties thereto, and such examination shall not deprive such witness of his share or interest in such fine, penalty, or forfeiture.

That registers, together with other sections, including the one referred to, the deliberate judgment of the Congress of the United States regarding cases of this kind.

My colleague was mistaken if he thought that I said this was the only way to enforce this statute. I have not said that, because I have not considered this statute; I have not thought about it; I have not considered whether or not there may be some other way. As my colleague says, that is quite natural, because this particular subject has not been considered at all with regard to the particular bill which is pending. I have merely interposed in this discussion for the purpose of putting the discussion on what I conceived to be the right basis; that is, not as a discussion of some new proposal but as the discussion of a desire to reverse a long-settled practice and policy of our Government in similar cases. It seemed to me that we were discussing this as if it were something new, when it is really but one form of putting into this proposed statute the old, old expedient of allowing a *qui tam* action, in which the informer can be induced to bring up his testimony by receiving all or a part of the penalty. I have merely read section 5295 of the Revised Statutes to show that the question of the effect of the interest upon the testimony of the informer has been considered and passed upon by the Congress and that their judgment has been embedded in the Revised Statutes of the United States.

Mr. CUMMINS. Mr. President, I am not very favorably disposed toward the informer, but undoubtedly there are subjects which must be dealt with in that way. I do not think that this provides for the old *qui tam* action altogether, but there are two things here which, it seems to me, we ought to consider. Even if it is wise to stimulate prosecutions by giving to an informer some part of the recovery, it can not be wise to allow the informer to bring an independent suit, to be prosecuted by him according to his own pleasure. I have had some experience in my State with prosecutions of that character, and they do not tend to an enforcement of the law. On the contrary, they tend simply to the private profit of the informer.

If there should be any partition of the recovery, it should be a partition made by the Government of the recovery in a suit brought in its name, giving to the informer such part of the judgment as we might think it wise to give him.

But, as I look at this clause, it has another defect which is very much more serious. It will be observed that the action brought by the informer and the criminal action that might be instituted by the Government are in the alternative. A suit brought by the informer and a recovery by him would be a bar to any criminal prosecution under the law. That being true, the privilege given to the informer to bring the suit might be used to give criminal immunity to one who had violated the law under such circumstances as to make criminal punishment the only penalty that ought to be imposed.

Mark you how the clause reads:

And for every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for every such offense the sum of \$1,000, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid, as debts of like amount are now recovered in the courts of the United States; or for every violation of the provisions hereof the person violating the same may be prosecuted in a criminal action for a misdemeanor, and on conviction thereof shall be punished by a fine of \$1,000, or by imprisonment for a term of not less than six months nor more than two years.



It can not be that we desire to turn over to an informer, no matter whether he be a citizen or an alien, the privilege of determining whether the United States shall punish one who violates this section under the criminal part of the section. I therefore suggest to the chairman of the committee, who has this matter in charge, that either I have misconstrued it or that he must have overlooked it, for it is inconceivable to me that any such object is intended to be accomplished.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield to the Senator.

Mr. BORAH. Do I understand that the Senator's view is that if the action were brought by an informer for the forfeiture of a thousand dollars, that would preclude any criminal action for the enforcement of the provision?

Mr. CUMMINS. I so understand.

Mr. BORAH. I do not see it in that light. The provision reads:

And for every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for every such offense the sum of \$1,000, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid, as debts of like amount are now recovered in the courts of the United States; or for every violation of the provisions hereof the person violating the same may be prosecuted in a criminal action for a misdemeanor.

You may bring a civil suit or there may be a criminal action at the same time.

Mr. CUMMINS. But there can not be both.

Mr. BORAH. Why not?

Mr. CUMMINS. Because the word "or" precludes it, unless that word is construed, as it sometimes is, I grant, as the equivalent of the word "and."

Mr. BORAH. I do not think so. You could not introduce a civil judgment as a bar in a criminal suit. The use of the word "or" does not have the effect, in my judgment, of limiting to one cause of action.

Mr. REED. Mr. President, may I suggest, if the Senator will permit me, that this being a highly penal statute, it would be strictly construed and not extended. It is perfectly plain to me as it now reads that the Senator from Iowa is right.

Mr. CUMMINS. From my standpoint the interpretation seems to be clear; but, even if it is not clear, the matter is of such moment that I am sure those who favor the informer system would not be willing to substitute that method for the enforcement of the criminal law of the country.

Mr. SMITH of South Carolina. Mr. President, before the Senator takes his seat I will ask him if it would meet his suggestion if, beginning with line 19, after the words "United States," the word "or" should be changed to "and," so as to coordinate the two and make both criminal and civil procedure possible?

Mr. CUMMINS. I mean to say that the language should make it entirely certain that the informer, if that feature of the bill is to be preserved, might bring his suit, and at the same time the Government of the United States might indict and punish by imprisonment or fine if it so desired.

Mr. ROOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New York?

Mr. CUMMINS. I yield.

Mr. ROOT. I rose to suggest to the Senator from Iowa that there have been for a great many years double proceedings continually going on under the laws of the United States. One marked example is the case of the United States against Boyd, which is a rather well-known leading case, although I do not remember the volume in which that case is found.

Mr. REED. Mr. President, we are unable to hear the Senator on this side of the Chamber.

The PRESIDENT pro tempore. Senators to the right of the Chair are unable to hear the colloquy taking place between the two Senators on the other side.

Mr. ROOT. I was calling the attention of the Senator from Iowa to the fact that there have always been going on double sets of proceedings under the penal statutes of the United States—proceedings for forfeiture, proceedings civil in form, and proceedings for punishment criminal in form, and I was just referring him to the well-known case of United States against Boyd. In that case, which was decided by the Supreme Court about 30 years ago, a firm of glass importers in New York had imported glass on which they fraudulently made an exemption under Government contract of a much larger amount than they were entitled to. The glass was seized, forfeiture proceedings were brought, and the glass was forfeited. At the same time

they were indicted, tried, and convicted. The Supreme Court held that the forfeiture proceeding was a penal proceeding, and reversed the judgment on account of the improper admission of evidence, because they had been compelled to testify against themselves, but the conviction stood, a conviction which came after the judgment in the forfeiture proceedings, and the defendants served out their term in the penitentiary. Now, that is practically the situation which we have here.

Mr. CUMMINS. The Senator from New York does not, I think, quite understand the point of my suggestion. I do not think there is any constitutional repugnance between a suit for such a forfeiture as is here provided on the part of an informer and a contemporaneous criminal prosecution by the Government. I think both may constitutionally proceed at the same time and both go to their end. My suggestion was that this proposed statute, however, precludes it. This bill seems to me to mean that if one proceeding is instituted the other can not be. That part of my objection would be entirely removed if the proposed statute were to provide that the two proceedings could go on at the same time, but unfortunately the two clauses are coupled together with the disjunctive "or," and, as I construe this language, the pendency of one, or certainly a judgment in one, would wholly bar the prosecution of the other.

The PRESIDENT pro tempore. The Senator from South Carolina has indicated that he intends to remove all doubt on that subject by offering an amendment to strike out "or" and insert "and."

Mr. BORAH obtained the floor.

Mr. WHITE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Alabama?

Mr. WHITE. I beg the Senator's pardon. I did not know he had the floor.

Mr. BORAH. Of course the objection which the Senator from Iowa makes could be remedied, as suggested, by striking out "or" and inserting "and"; but I still think that is wholly unnecessary, because a civil action to recover a forfeiture is never a bar to a criminal action unless it is specifically made so by the provisions of the statute. The rule of evidence is different in each case.

Mr. CUMMINS. Mr. President, I agree to that, but my very point is that this statute does make one—

The PRESIDENT pro tempore. Is there not much force in the suggestion of the Senator from Missouri that a statute of this kind is to be construed strictly, and no inference as to extending it can be indulged?

Mr. CUMMINS. The reason I did not offer the amendment suggested by the Senator is that I understand there is an amendment pending offered by the Senator from Missouri.

The PRESIDENT pro tempore. The friends of the provision are entitled to perfect it before any motion to strike out any part of it is submitted to the Senate.

Mr. CUMMINS. Then, Mr. President, I offer that amendment.

The PRESIDENT pro tempore. The Chair understood it was the purpose of the Senator from South Carolina to do so.

Mr. WHITE. Mr. President, I am not ordinarily in favor of statutes giving penalties to informers. I am rather opposed to it. I think such statutes should be enacted only when there is a real necessity for them. I think, however, that the provision that is sought to be stricken from the bill by the amendment under consideration is a proper one in this legislation.

The matter has been discussed from the standpoint of the undesirability of having prosecutions carried on by informers. That really is not the main purpose of the provision; neither is that the main effect to be accomplished by it. The statute will be more useful in deterring persons from violating it, and will accomplish more good in that way than in any other. Persons who contemplate violating this statute by importing contract labor will understand from the beginning that it is in the power of the party with whom they contract to punish them for it; whereas, if there is no such provision in the bill, then they will readily understand that it is next to impossible to convict them or punish them under the statute.

As has been suggested by the Senator from New York [Mr. Root], this is no innovation. Such provisions are contained in the statutes of nearly every State of the Union. Certainly they are found in the Federal Statutes. It is no innovation. Neither is it any change in principle, Mr. President.

Mr. HARDWICK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. WHITE. I do.

Mr. HARDWICK. I will suggest to the Senator that this precise provision has been in operation since the passage of the law of 1897, and has not given rise to any trouble.

Mr. WHITE. Nor is it likely to give any trouble. As the Senator from Georgia has just stated, it has been in our immigration statutes, and the effect of this amendment will be to remove it from the statute. As I have already stated, the main purpose of this provision is to prevent violations of the law, and that is what is sought to accomplish. It is never the desire of government to punish. The primary object is to prevent law violations. The adoption of the provision of the bill sought to be stricken by the amendment will have that effect—to prevent violations of the law.

As I was about to say, this is not new in principle. Since the common law of nearly every State in the Union has been changed so as to allow parties interested in the result of suits to testify, the same principle is involved—that they can make money, that they can enrich themselves, by swearing falsely. Any plaintiff, or any defendant for that matter, in any suit in almost any State in the Union and the Federal courts of the country, has the same temptation held out to him that it is charged will be held out under the provision in question. Not only that, but under the general practice of the common law in the State and in the Federal courts immunities are offered daily to persons who are guilty of crime with a view of obtaining evidence to convict others who are no more guilty than they are. I should like to know how the gunmen in New York would have been convicted if it had not been for the immunity given the witnesses by the district attorney, Mr. Whitman.

Mr. President, I have had some experience with situations of this kind. I have seen immigrants who were induced to come to this country under misrepresentations as to conditions here, the conditions being exactly the reverse of what they were told the conditions were when they were induced to come—conditions that they were not willing to encounter or combat. But what were they to do? They were in a strange country, destitute of means, absolutely within the power of the party who imported them, and therefore they had to submit to and accept the situation as they found it, not as it had been represented to them. Unless immigrants are interested in some way in bringing the guilty parties to justice, as the Senator from Kentucky [Mr. JAMES] has already stated, it is next to impossible to sustain an action against the guilty parties. If these foreigners themselves are to be denied the right to participate in the recovery, then there will be no means of obtaining the evidence except to go to the country from which they emigrated, and then you encounter the difficulty of finding a witness who is familiar with the contract.

So I say, Mr. President, that the provision sought to be stricken from the bill ought to be allowed to remain, and that the amendment itself should not be adopted.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Iowa, to strike out the word "or," beginning in line 19, and to insert in lieu thereof the word "and."

Mr. REED. Mr. President, that is not the amendment now before the Senate, is it?

The PRESIDENT pro tempore. Yes; that perfects the text. The amendment offered by the Senator from Missouri is to strike out a certain proposition that in a way is dependent upon that amendment. If the Senator will read Rule XVIII, he will see that it sustains the Chair's view about the matter.

Mr. REED. Mr. President, of course I shall not stop to discuss the matter, because it is not very important; but I desire to suggest to the Senator from Iowa and to the Senate and to the chairman of the committee that if the amendment I have offered is adopted I shall offer another amendment, which I think will meet the views of all and cover the case and yet leave the control of the matter in the Department of Justice.

The PRESIDENT pro tempore. The Chair can only deal with such amendments as have been brought to the attention of the Chair.

Mr. REED. To be sure. I only wanted to suggest it before we vote on this amendment.

The further amendment to which I refer is to add at the end of line 18 the following:

The Department of Justice may, from any penalties recovered, pay rewards to persons, other than Government employees, who may furnish information leading to the recovery of any such penalties, or to the arrest and punishment of any person as hereinafter in this section provided.

Then, on line 19, page 14, strike out the word "or" and insert, "Provided, That," so that the section would read:

Provided, That for every violation of the provisions hereof the person violating the same may be prosecuted—

And so forth.

The PRESIDENT pro tempore. The Chair will say to the Senator from Missouri that it is customary to give the Senate

the benefit of the text as it will stand after the motion to strike out and insert has been presented to the Senate. The Chair was only dealing with such things as were brought to his attention.

Mr. REED. Yes. I desire to suggest to the Senator from Iowa that it would be better, instead of striking out the word "or" and inserting the word "and," to employ the language "Provided, That."

Mr. CUMMINS. Mr. President, I desire to be clearly understood. I am against the provision even if it is amended by the insertion of the word "and." I intend to vote for the amendment offered by the Senator from Missouri. I think it would be very unwise to allow any informer to bring a suit in his own name, control the suit, and enjoy the proceeds of it; but if the amendment offered by the Senator from Missouri fails, then I am very anxious that the law shall not have the effect that I fear it will have if the word "or" is retained.

Mr. REED. Do I understand, then, that the Senator from Iowa did not offer the amendment to strike out "or" and insert "and," but merely suggested it in his remarks?

Mr. CUMMINS. No; I offered the amendment.

Mr. REED. Very well.

Mr. CUMMINS. And I think it ought to be adopted so as to end that part of it, anyhow. I shall vote for the amendment offered by the Senator from Missouri in any event.

Mr. REED. I desire, then, to move to amend the amendment of the Senator from Iowa as follows: Strike out the word "or" and insert the words "Provided, That."

Mr. CUMMINS. I have no objection to that.

Mr. SMITH of South Carolina. Mr. President, I move to lay that amendment on the table.

The PRESIDENT pro tempore. Let the amendment to the amendment be stated at the desk so that the Senate will understand it.

The SECRETARY. On page 14, line 19, it is proposed to amend the amendment of the Senator from Iowa, to strike out "or" and insert "and," by inserting, instead of "or," the words "Provided, That."

Mr. CUMMINS. That is entirely satisfactory to me. It means the same thing, in my opinion.

Mr. SMITH of South Carolina. I move to lay the amendment of the Senator from Missouri on the table.

Mr. O'GORMAN. Mr. President—

The PRESIDENT pro tempore. The Chair will hear the Senator from New York.

Mr. O'GORMAN. I hope the last motion will not prevail, because I am sure that if the Senator from South Carolina carefully read this language in section 5, on page 14, he would recognize that the phraseology is much improved by adopting the words suggested by the Senator from Missouri, rather than by substituting "and" for "or." There is a plain, manifest improvement in the phraseology.

The PRESIDENT pro tempore. The Senator from Iowa has accepted the amendment offered by the Senator from Missouri. He has a right to do that, because Rule XXI provides that—

Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays.

None of those things has happened. The question is on laying on the table the amendment offered by the Senator from Missouri, and accepted by the Senator from Iowa.

The motion was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The Secretary suggests that a matter of punctuation might be attended to, by striking out the semicolon after the words "United States" and inserting a colon. Unless there is objection, that will be done.

Mr. REED. Mr. President, I simply want to make a statement so that those who are present will understand the situation.

The PRESIDENT pro tempore. Will the Senator indulge the Chair long enough to state the pending motion? The pending motion is the motion offered by the Senator from Missouri to strike out the language indicated by him.

Mr. REED. I think this language should be stricken out for the reasons that I have offered, and that other Senators have offered, because, first, it places the jurisdiction and control of this litigation in the hands of the first person who may rush into court and takes it out of the hands of the Federal authorities. Second, it is an action in which the informer, or the person bringing the suit—not necessarily the informer—gets all of the penalty. It is liable to be productive of both blackmail and perjury. Third, it is a qui tam action; and while that kind of action, as we all know, is an old action, nevertheless it is an



action that has come into disrepute, is but seldom employed, and this is the most extreme example of it I have ever known.

There is, however, possibly some reason why the Department of Justice, being placed and kept in control of this litigation, should be empowered to offer rewards. So, if the amendment I have offered is adopted, in order to meet that view I shall offer the amendment I read a moment ago, empowering the Department of Justice, out of any penalties which may be recovered, to pay such rewards as the Department of Justice may think proper. That keeps the litigation in the hands of the Federal authorities.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Missouri. [Putting the question.] By the sound the noes seem to have it.

Mr. REED and Mr. LODGE called for the yeas and nays, and they were ordered.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JAMES (when his name was called). I transfer the pair I have with the junior Senator from Massachusetts [Mr. WEEKS] to my colleague [Mr. CAMDEN] and vote. I vote "nay."

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Alabama [Mr. BANKHEAD] and vote "yea."

Mr. SMOOT (when Mr. SUTHERLAND's name was called). I desire to announce the absence of my colleague [Mr. SUTHERLAND] from the city. He has a general pair with the senior Senator from Arkansas [Mr. CLARKE]. I will allow this announcement to stand for the day.

The roll call was concluded.

Mr. CLAPP. I desire to state that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained at his home to-day on account of a death in his family. I will let this statement stand for the day.

Mr. CULBERSON (after having voted in the affirmative). I transfer my general pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Tennessee [Mr. SHIELDS] and allow my vote to stand.

Mr. WILLIAMS. I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is not present. I was not able to secure a transfer, so I therefore withhold my vote.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDENT pro tempore. He has not.

Mr. MYERS. I have a pair with that Senator. I transfer the pair to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. DILLINGHAM. I have a general pair with the Senator from Maryland [Mr. SMITH]. I transfer my pair to the Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. FLETCHER. I transfer my pair with the Senator from Wyoming [Mr. WARREN] to the Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. LODGE. I have a general pair with the Senator from Georgia [Mr. SMITH]. I am released by him on this vote, and I vote "nay."

Mr. GALLINGER. I have been requested to announce the following pairs:

The Senator from Idaho [Mr. BRADY] with the Senator from Mississippi [Mr. VARDAMAN];

The Senator from Maine [Mr. BURLEIGH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. MARTIN];

The Senator from Wisconsin [Mr. STEPHENSON] with the Senator from Kansas [Mr. THOMPSON];

The Senator from South Dakota [Mr. CRAWFORD] with the Senator from Tennessee [Mr. LEA];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY]; and

The Senator from Rhode Island [Mr. LIPPITT] with the Senator from Montana [Mr. WALSH].

The roll call resulted—yeas 18, nays 29, as follows:

## YEAS—18.

Clapp	Johnson	O'Gorman	Sterling
Culbertson	Jones	Overman	Thornton
Cummins	McCumber	Perkins	Townsend
Gallinger	Martine, N. J.	Reed	
Gronna	Nelson	Simmons	

## NAYS—20.

Ashurst	Hughes	Poindexter	Swanson
Borah	James	Robinson	Thomas
Bryan	Kern	Root	Vardaman
Burton	Lee, Md.	Shafroth	White
Chamberlain	Lodge	Sheppard	Works
Dillingham	Myers	Smith, Ariz.	
Fletcher	Oliver	Smith, S. C.	
Hardwick	Page	Smoot	

## NOT VOTING—49.

Bankhead	Fall	Newlands	Smith, Mich.
Brady	Goff	Norris	Stephenson
Brandeggee	Gore	Owen	Stone
Bristow	Hitchcock	Penrose	Sutherland
Burleigh	Hollis	Pittman	Thompson
Camden	Kenyon	Pomerene	Tillman
Catron	La Follette	Ransdell	Walsh
Chilton	Lane	Saulsbury	Warren
Clark, Wyo.	Lea, Tenn.	Sherman	Weeks
Clarke, Ark.	Lewis	Shields	Williams
Colt	Lippitt	Shively	
Crawford	McLean	Smith, Ga.	
du Pont	Martin, Va.	Smith, Md.	

The PRESIDENT pro tempore. On agreeing to the amendment of the Senator from Missouri [Mr. REED] the yeas are 18 and the nays 29. The senior Senator from Mississippi [Mr. WILLIAMS] and the senior Senator from Arkansas [Mr. CLARKE] are present in the Chamber and failed to vote because they were paired. The noes have it, and the amendment is rejected.

Mr. MCCUMBER obtained the floor.

Mr. REED. I desire to make a motion relating to this particular matter.

Mr. MCCUMBER. If the Senator please, I should like to take not more than three or four minutes, as I shall have to leave the Chamber.

Mr. REED. Very well.

Mr. MCCUMBER. Mr. President, I have refrained from giving any expression of my views on any of the matters in the bill only as I have been compelled to vote upon the proposed amendments. There are one or two matters in the bill which to me seem to be vicious and compel me to vote against its final passage, and I desire to place upon the record in a very few minutes my reasons for voting against the bill itself.

Mr. President, the virtue or vice of any bill or legislative act is to be determined not so much by the declaration of some abstract principle as by its effect. I desire to look into the effect of this bill for a single moment. We have now adopted the illiteracy clause. What is the effect of the adoption of that clause when taken in connection with another clause which exempts a certain class of people from the illiteracy test?

I presume, Mr. President, that it is the object of the illiteracy test to protect American citizenship. If the object is to protect American citizenship, I do not see that it makes any great difference to us what may be the laws affecting people on the other side of the ocean; but here when we adopt our exception to the illiteracy test we immediately abandon the very purpose of that test in the bill, so far as it affects certain religionists or certain nationalities.

Let us see the effect of this provision. There is the general provision of the bill that all aliens over 16 years of age, showing a capacity of reading, who can not read the English language or some other language or dialect, including Hebrew or Yiddish, shall be excluded from entering into this country. Then on the very next page we have this provision:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or the Secretary of Labor that they emigrated from the country of which they were last permanent residents for the purpose of escaping from religious persecution.

Mr. President, we all know what the Russian laws are. We all know that those of the religious faith—if you may call it a faith—called the Jewish are by those laws compelled to remain within certain sections of the Russian Empire. It makes little difference whether we regard the word "Jewish" as being descriptive of the religion of the Hebrew or whether it is descriptive of the race itself as descendants from Judea, the effect is the same; it operates only upon a particular class of people whom we call Jews.

Now, let us see the effect of this. We say by this legislation that if an Italian who is a Roman Catholic can not read or write he is an undesirable citizen, but if a Russian who happens to be a Jew can not read or write he becomes a desirable citizen because he is persecuted. I think we must admit that when any law of Russia is directed against the people of a race, and the religion and the race are conjoined, so that they have not the same right as every other people of that country, it is religious persecution. Therefore the immigrant who is attempting to enter into this country need only establish the statutory law of Russia in order to get free access, whether he can read or write or not.

Not only this, Mr. President, but what does this proposed law say to the German from Russia? We all know that an immense number of Germans something over 100 years ago settled around Odessa. Quite a number of them can not read or write. If that class of citizens who are members of the Greek Orthodox Church or of any Protestant denomination, or the Catholic denomination, seek to enter this country, we hold against them the test of illiteracy, but if one of the Jewish faith comes from Warsaw and seeks to enter this country the illiteracy bar will not be held against him because his race or his religion has been persecuted.

Mr. President, I did what I could to make this bill fair and just. I do not believe very much in the illiteracy clause, anyway. I do not think that the mentality of an individual whose traits of character have been impressed on him through tens and thousands of centuries of heredity is going to change his nature in the slightest degree by becoming capable of reading or writing. It is not an art which requires an immense amount of intellectuality for a person to be fully capable in it. Instead of making him a better citizen, if his characteristics are wrong, it enables him the better to become a bad citizen.

Now, let us admit the real truth of the provisions of this act. You raise the illiteracy test not because you believe it is a just and fair test, and while you may argue upon that basis, your real purpose is to keep out a certain number of people, desirable or undesirable. You say there are too many immigrants coming from southern Europe and you desire to keep them out. You can not make legislation for immigrants from one country and different legislation for immigrants coming from another country, because in one section of the country there are more illiterates than there are in the northern sections of Europe. Yet you attempt to accomplish this by keeping out a greater number by your illiteracy test, rather than by really defending American citizenship, by raising that test.

Mr. President, I wish the Russian Jew to come into this country if he is a good man, and I want our gates to be swung wide open for him. I equally want the Italian Roman Catholic to have exactly the same right that the Russian Jew has, so far as the gates of our ports are concerned. Yet you by your legislation say to the one, Notwithstanding you would make a very good citizen, you shall not enter into the United States; notwithstanding the fact that you might be the very best citizen, because you profess in reality a different faith from that mentioned as an exception and have been persecuted, you shall not enter through the portals to this land of promise.

Mr. President, the only way to avoid this injustice in our bill is by the adoption of the amendment that was offered and voted down which gives every race and every religionist exactly the same right. I myself can see no difference between the Russian who is not a Jew and the Russian who is a Jew coming to this country. We have a great many Russians in my State who are of the Greek Orthodox Church and many of them members of other churches. They are among our best citizens in developing the country. We want them here; we have no objection to them; but what we do object to and what I object to is saying that they shall not enter if they are illiterate, while their brother, professing a different religion or of a different race, may enter into the United States, though he is illiterate. In other words, the illiteracy clause ought to apply to every foreign citizen seeking entrance into this country or it ought not to apply to any of them, and because of the injustice of the proposed law as it now stands, I shall be satisfied myself to vote against its enactment.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. The Senator from Missouri [Mr. REED] has a matter to offer.

Mr. REED. The amendment I desire to offer relates directly to the matter just passed upon, and if it will be equally agreeable to the Senator from Massachusetts, I should like to offer that amendment and let the Senate vote upon it.

Mr. LODGE. Certainly.

Mr. REED. I move to strike out in section 5, page 14, line 14, the following language:

Or by any person—

Mr. WILLIAMS. Will the Senator from Missouri pardon me a moment? Mr. President, I had offered an amendment which was pending which precedes in the bill the one the Senator is about to offer, and if the Senator will pardon me just one moment, I want to make an explanation in connection with it and then to withdraw it.

The PRESIDENT pro tempore. The Chair will state to the Senator from Mississippi that there is no such amendment pending, so far as the Chair is advised at the desk.

Mr. WILLIAMS. The amendment was pending at page 9, line 12, after the word "prosecution." It was printed as an

amendment intended to be offered and is upon the desk. Since that time the Senator from Massachusetts [Mr. LODGE], a member of the committee, has offered an amendment upon the same subject to come at a subsequent part of the bill. His amendment, in my opinion, is more specific, better, and reaches the object better and is in better phraseology. I therefore desire to withdraw mine.

The PRESIDENT pro tempore. Permission will be granted unless objection is made. The Chair hears none.

Mr. REED. In order that the Senate may understand it, I desire to state my amendment. I move to strike out of the bill the following language, appearing on page 14 and beginning with line 14:

Or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid.

And to insert in lieu of said language, at the end of line 18, page 14, the following:

The Department of Justice may from any fines or penalties recovered pay rewards to the persons, other than Government employees, who may furnish information leading to the recovery of any such penalties or to the arrest and punishment of any person as hereinafter in this section provided.

Mr. President, that places the payment of the reward and the control of the litigation where it ought to be, namely, in the hands of the Department of Justice. It empowers that department to use a portion of, or, if they see fit, all, the penalties for the purpose of securing the information, but it avoids the objectionable practice of private individuals bringing suits and recovering penalties for their own benefit, and bringing the suits without the control of the Department of Justice.

Moreover, it adds to the bill this useful provision: Under the bill as it now stands the Department of Justice is not authorized to pay any reward to the man who brings information and causes the arrest of any person under the criminal provision of the act. The law is deficient in that respect, and it would supply it.

I have stated the matter, and that is all I desire to say.

Mr. SMITH of South Carolina. Mr. President, I move to lay the amendment on the table.

The motion was not agreed to.

The PRESIDENT pro tempore. The question recurs on the adoption of the amendment offered by the Senator from Missouri [Mr. REED].

The amendment was agreed to.

Mr. LODGE. I now move the amendment to which the Senator from Mississippi [Mr. WILLIAMS] referred. I have changed two words in it—in line 8 the words "take up," because that term is used generally in connection with our public lands, to the word "purchase."

I desire to say in regard to this amendment that it is carefully drawn for the purpose of permitting a limited class of Belgians who have been expelled from their own country to come here. It is necessary that they should be agricultural, and they would be, as a matter of fact, chiefly of the market-gardening class. An association or corporation has been formed to bring those persons here. The plan is to bring only families and to settle them in communities. It is strictly guarded. If it is desired to do anything for those unfortunate people, nothing could be more carefully guarded than this amendment. They must be agricultural immigrants; they must come here during the course of the European war or owing to circumstances or conditions arising from the war, and they must come prepared to purchase land. The association or corporation is engaged in helping them. There are 25,000 Belgians in England, and they are scattered all through the countries where they have taken refuge.

Mr. ROOT. There are about a million in Holland.

Mr. LODGE. There are about a million in Holland, as the Senator from New York suggests; and among them there is a large number of men and women whose whole life has been given to agriculture, chiefly, as I have said, market gardening. This corporation or association is prepared to help them to purchase land and stock it sufficiently and give them sufficient buildings to begin as a community, removing in that way any tendency of loneliness to seek their compatriots in one of the larger cities. I move the amendment and ask that it be read.

Mr. POMERENE. If I may, I desire to ask the Senator from Massachusetts why he would extend this privilege to a Belgian who was engaged in agricultural pursuits and not extend it to another who might be engaged in manufacturing or other pursuits.

Mr. LODGE. Mr. President, it seems to me we may well be careful how we enlarge the provision. The requests which came from the Belgian committees, the people interested in them, are embodied precisely in my amendment.



Mr. REED. I wish to ask the Senator a question. There happens just now to be a committee, as I understand the Senator, having under consideration a plan to relieve certain of the Belgian people. That committee plan is to take them to farms—a most admirable plan and one we can all give our hearty assent to—but suppose that two months from now, or the day after to-morrow, another committee, or this same committee, desires to furnish equal assistance to Belgians who are not farmers, but who are highly desirable as citizens, and who have certain arts and industries in which it is said they excel. Should we close the doors upon those people and should we so enact our legislation that other plans not yet developed will be cut off? Is it not possible—I am asking a somewhat complicated question—to frame this amendment so that these people may be assisted to come here whatever their occupation, and still throw sufficient safeguards around the amendment to prevent any abuse growing up under it?

The PRESIDENT pro tempore. The Senate does not know what the amendment proposed by the Senator from Massachusetts is. Before recognizing any other Senator, the Chair will direct the Secretary to read the amendment.

The SECRETARY. The amendment proposed by Mr. LODGE is, on page 12, line 18, after the word "guests," to insert:

*Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to take up land in the United States and become American citizens.*

Mr. LODGE. Mr. President, I think we may well be content to do this. If we make the provision universal and general, I am not sure that we should get these people, and we might have a great many come here who would at once become a public charge. Moreover, the agricultural people are the ones who have suffered most. They have lost all their property; they have lost their opportunity in life; they have lost absolutely the work and the means of doing the work which they can do only in that one form. Those who are operatives engaged in manufacturing industries have no difficulty, and will have no difficulty in the future, certainly, in finding employment, because the industries in which they are engaged exist everywhere. We all know, moreover, that it is desirable to encourage agricultural immigration, and I think it is wiser to limit the provision than to make it too general. If we make it too general, I am afraid we may lose everything.

The PRESIDENT pro tempore. How do the provisions of the Senator's amendment reconcile themselves with the most-favored-nation clause which is contained in most of our treaties?

Mr. LODGE. Mr. President, I suppose it may be said that there are several things in this bill which might possibly be brought under the favored-nation clause, but I think there would be some difficulty in bringing this precise amendment under it, because we impose a number of conditions which could not be fulfilled by the other nations.

The PRESIDENT pro tempore. There is one that could not be fulfilled; they could not come from Belgium. But suppose a German should present himself here?

Mr. LODGE. If you could find another country in precisely that situation, undoubtedly that objection would apply; but practically that is impossible.

Mr. POMERENE. This thought has suggested itself to my mind since the Senator has presented the amendment: I take it that this is not an effort to extend any privilege to Belgium as a kingdom or as a nation?

Mr. LODGE. Not at all.

Mr. POMERENE. Certainly not. There are Germans, there are Frenchmen, there are Austrians, there are British subjects who are no more responsible for conditions that prevail in their respective countries than are the Belgians for the conditions that now affect them. I am now speaking of individuals. That being the case, why should a privilege of this kind be extended to the nationals of one nation and not to the nationals of other nations who may be similarly circumstanced?

Mr. LODGE. Mr. President, when the nationals, subjects or citizens, of any other of these countries reach the condition of Belgium and of the Belgians, then I think we ought to do it. There is a whole population, practically, of 7,000,000 people who have been almost swept out of existence; their entire country is and has been for months a battle field, and they have been forced into exile. Entire towns and cities have been depopulated, and people wholly innocent—

Mr. SMITH of South Carolina. Will the Senator from Massachusetts permit me?

The PRESIDENT pro tempore. The Senator from Ohio has the floor. Does he yield to the Senator from South Carolina?

Mr. POMERENE. Yes.

Mr. SMITH of South Carolina. I desire, with the permission of the Senator from Ohio, to ask the Senator from Massachusetts if he will allow me—

The PRESIDENT pro tempore. The Senator from Ohio, the Chair understands, yields.

Mr. POMERENE. I do.

Mr. SMITH of South Carolina. If it is the condition that has arisen in Belgium that we are dealing with, and not the causes that led up to it—if the distressed condition of the Belgians has been the cause of the proposed amendment, would it not be equally pertinent as to certain distressed Italians who have nothing? These Belgians have nothing, and somebody has got to provide means for them to buy farms. When they come here you can not make them go on the farms; once they are here and naturalized they will do as they please. Why could not that same thing occur if subjects of Italy should come and some corporation should picture to us the distressed condition of those Italians and say they would bring them here and put them on farms?

Mr. LODGE. Mr. President, Italy has not been touched by the hand of war at all, while the whole world recognizes the condition of Belgium is different from that of any other country; it is different from anything we have ever seen. I am not going into the merits or the demerits of the question at all; but here are a people who have been exiled by the million from their country, who are being supported in Holland, in England, and here by charity. They are thrown on the charity of the world; their case is wholly different from that of the French or of the Germans or of the English or of the Russians, who have powerful Governments and large portions of their territory untouched by the hand of war.

Mr. POMERENE. Mr. President, with all due respect to the learned Senator from Massachusetts, his answer to my first question was that this is not extending a special privilege to the Belgians as a nation or to the Belgian Kingdom. I concede that to be so; but now the Senator takes the position that because the misfortune which has been visited upon Belgium is greater in extent than that which has been visited upon any other nation, therefore we should give this privilege to the individual Belgians. My thought is while it is true that the Belgians have suffered—and words can not portray the extent to which they have suffered—yet at the same time that we are extending this privilege to the individual Belgians, there are individual Frenchmen, there are individual Germans, there are individual subjects of Great Britain who have suffered to the same extent. The Chair very pertinently put the question as to how we may distinguish here as between the nationals of one country and those of another. That is the thought that troubles me.

Mr. LODGE. Mr. President, I suppose that the nationals of another country who can prove the same facts might, if they see fit, raise the question of the favored-nation clause; I think it is very doubtful whether it would be sustained; but if it is necessary to avoid these objections, which to my surprise seem to arise here against this limited act of charity to those stricken people, then I will withdraw my amendment and ask the Senator from Mississippi [Mr. WILLIAMS] to present his amendment, and I will support that instead of mine. People are afraid to name Belgium or Belgians in a matter of this sort; they are afraid it will jar on somebody's feelings. I am perfectly willing to accept the amendment proposed by the Senator from Mississippi.

Mr. SMITH of South Carolina. As the Senator from Mississippi has already accepted the amendment of the Senator from Massachusetts, I move to lay the amendment on the table.

Mr. LODGE. The Senator from South Carolina will not avoid this subject in that way.

Mr. WILLIAMS. Mr. President, I hope the Senator from South Carolina will not do that.

The PRESIDENT pro tempore. The motion made by the Senator from South Carolina is not debatable. The Senator from South Carolina moves to lay the amendment on the table. [Putting the question.] The yeas seem to have it; the yeas have it.

Mr. WILLIAMS. Mr. President, the chief differences between the amendment as offered by me and the amendment offered by the Senator from Massachusetts [Mr. LODGE] are these two: In my amendment I did not mention—

The PRESIDENT pro tempore. Has the Senator from Mississippi offered any amendment? If the Senator from Massa-

chusetts has withdrawn his amendment, there is nothing pending which can be debated.

Mr. LODGE. I have not withdrawn my amendment, Mr. President.

Mr. WILLIAMS. Now, if I may be permitted to make a statement, the chief differences between the two amendments are these: The Senator from Massachusetts, in his amendment, specifically names the Belgians, while, in my amendment, I did not name them, but described them so that the description could not apply to anybody but to the Belgians. Then I relieved them solely from the literacy test, whereas his amendment would relieve them from the assisted-immigration test. I think, perhaps, that my amendment is a little better in the first regard, while it is not nearly so good in the second respect. I described those persons in this way:

In cases where the territory of their country had received recognition by belligerent powers as neutral territory and where their land was invaded for no other reason than that their Government refused to consent to be invaded.

That description can apply to nobody but the Belgians.

The Senator from Ohio [Mr. POMERENE] wants to know why the Belgians are in a different attitude. That is the reason why they are in a different attitude. Every national is affected by the act of the government of his country. The Governments of England, Germany, France, Austria, Russia, Serbia, and Turkey have gone into this war; none of them were forced into it; and when I say that none of them were forced into it, I mean that none of them were physically forced into it; but Belgium was literally forced into it. It might have been a question of honor or of self-defense after a while in the other cases, but in the case of Belgium the request was made that she herself should violate her solemnly given obligation to defend her own neutrality, and notice was given that if she did not consent to violate her plighted word to defend her own neutrality, then she should be invaded. She was invaded, and the armies of both sides have fought all over her country. Her people desired war with nobody; they committed no crime under the sun except refusing to consent to be invaded, refusing to put themselves on record down through all eternity as cowards, but for no other reason the armies of both sides have devastated her soil and destroyed her factories. The farmers of Belgium have suffered more than any others. Their cattle and stock are gone, their agricultural implements are gone, the villages in which the farmers lived and from which they have been accustomed to go out to cultivate their fields are in many cases totally destroyed, and the people are exiles in Holland and in England. The Southern Commercial Congress is prepared, or thinks it is prepared, to place a great many of them upon cheap and good lands in the South. There is another corporation which is prepared to place some of them in the West, as I understand.

These people are in a totally different position from any other people in civilized times. There was a time, long, long years ago, when very many people very frequently were brought into that condition, when hordes of people, coming to the West from the East and to the South from the North, thought they had a right to overrun everything or anybody in order to find for themselves new homes and better opportunities for the future, but this is the first instance in modern civilized times of a people ever having suffered in this way.

I am criticizing nobody; I am absolutely neutral so far as this war is concerned, as every American ought to be. I recognize no interest of any description or any policy that has any right to appeal to me except American interest and American policies; but these people, men, women, and children, have appealed to my sympathy because they have suffered for no fault of their own or of their Government. They have been ground between the upper and nether millstones of warring nationalities when they themselves wanted to keep at peace and their Government wanted to keep at peace with all men and all nations.

In response to the suggestion made by the Senator from Massachusetts, I suggest that perhaps if instead of the word "Belgium" in his amendment he would substitute the description found in my amendment and then leave the remainder of his amendment, it would be better than either mine or his now is, and that would free the amendment from the objection suggested by the Senator from Arkansas [Mr. CLARKE]. Then nobody could invoke the favored-nation clause, because every nation in the world coming within this description would have this provision applied to its nationals.

Mr. LODGE. I understand the Senator to suggest that I strike out the word "Belgium" in the amendment which I have proposed?

Mr. WILLIAMS. Yes, sir; and to insert "from any country where the territory of their country had received recognition by belligerent powers as neutral territory and where their land

was invaded for no other reason than that their Government refused to consent for it to be invaded."

Mr. LODGE. That is, retain the first three lines of my amendment, reading:

*Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants—*

Mr. WILLIAMS. "Coming from any country"—

Mr. LODGE (continuing)—

coming from any country where the territory of their country had received recognition—

And so forth.

The PRESIDENT pro tempore. Why would it not accomplish the purpose to adopt the amendment of the Senator from Massachusetts and send it to conference to be worked out there?

Mr. LODGE. I accept the modification suggested by the Senator from Mississippi, as far as I have power to do so.

Mr. LEWIS. Mr. President, may I be permitted to call the attention of the Senator from Massachusetts and the Senator from Mississippi—

The PRESIDENT pro tempore. Not until we find out what is presented to the Senate. The Chair will ask the Senator from Illinois to indulge him for a moment.

Mr. LODGE. I will read the amendment, Mr. President, if the Secretary will take it down. I move the following as an amendment:

*Provided further, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to immigrants from any country in cases where the territory of their country had received recognition by belligerent powers as neutral territory and where their land was invaded for no other reason than that their Government refused to consent to be invaded.*

Mr. WILLIAMS. "Consent for it to be invaded," it ought to be.

Mr. LEWIS. Mr. President, may I be permitted to call the attention of the Senator from Massachusetts to a feature in his amendment that impresses me as having considerable prospect of embarrassment?

Mr. President, I do not know whether the purpose of the Senator is to have his amendment go to the committee or whether it is to be acted upon at this particular time.

Mr. LODGE. To be acted upon at this time. The committee has long since finished with the bill and this question must be decided here.

Mr. LEWIS. Mr. President, I heard some reference to a conference, but, having just come into the room, perhaps I did not gather the reference.

The PRESIDENT pro tempore. The Chair will state to the Senator from Illinois that he assumed that the differences between the two Houses would be worked out by the usual conference committee.

Mr. LEWIS. Mr. President, I understand what the Chair means. I thought that there had been some previous reference to a conference committee. I will say to the Senator that I regard that it would be a queer thing for us to enact a provision admitting to our shores any people whom we decide have been the subject of invasion by another country when their country was neutral. We could only do so by first deciding that some country had invaded them, and therefore we would render judgment by our action that they had been so invaded. Whatever defense the invading country might have had we would wholly overlook; we would simply render the judgment of the United States that a certain neutral country had been invaded, say, for instance, as in this case, by Germany. We would therefore create, as I see it, a cause of protest on the part of such countries because of our judgment against them, for they may have a reason to contend and may contend that their entrance into the country was dictated by considerations of national defense or of national preservation. I suggest, therefore, instead of the words "where the territory of their country had received recognition by belligerent powers as neutral territory and where their land was invaded," that there be inserted some such language as this, "any country suffering from the results of conflict or war," so as not to call for a judgment on our part that a country had been invaded, when the invaders may take the position that they were defending themselves.

That is the exact attitude, if I may so state to the Senator, who is a learned scholar in matters of foreign policy, which has been taken by many. Prof. Hugo Münsterberg and his colleagues have sent us a book—I have no doubt it is on the Senator's desk—in which it is contended in behalf of Germany, answering the very charge that the friends of Belgium make, that that country was invaded because, as the able Senator from Massachusetts said, it desired to be neutral, that Belgium was upon the eve of cooperating with France to assail Germany.



Whether they are right or wrong as to that, of course we do not know; but the fact that they make that contention I think would suggest that it would not be prudent for us to set up as a condition precedent a finding that a certain Government had been guilty of having invaded Belgium before we may allow Belgium or any other country to avail itself of the benefits of this act.

Mr. LODGE. Mr. President, the Senator has been discussing a portion of the amendment which is not mine. My amendment did not contain the words which he has been discussing. Those are in the amendment of the Senator from Mississippi [Mr. WILLIAMS].

Mr. LEWIS. I beg to say to the Senator that I just came into the Chamber and heard it as it was being read.

Mr. LODGE. I expressed my willingness to adopt the other, as objection was made to my amendment because it mentioned Belgium. We apparently have become so tender that we can not even mention Belgium and the sufferings of the Belgian people without fear that somebody will be offended.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to ask him a question?

Mr. LODGE. Certainly.

Mr. SMITH of Georgia. Does the Senator abandon the use of the term "Belgium" because he fears that under our treaties we would be embarrassed by its use?

Mr. LODGE. No, Mr. President; I do not think that the favored-nation clause—

Mr. SMITH of Georgia. I would personally be very much gratified to take down every barrier between the Belgians and the United States and allow them to come in. I think we have in passing upon immigration questions to determine our wishes and our interests. I think the record of these people has been such that we may well be glad to hail them as fellow citizens; their condition certainly appeals to us, and I would myself, if we can legally do so, be delighted to remove every barrier and bring them here.

Mr. WILLIAMS. Mr. President, if the Senator from Georgia will pardon me—

Mr. LODGE. I think I have the floor; I yielded to the Senator from Georgia.

The PRESIDENT pro tempore. The Senator from Massachusetts has the floor.

Mr. LODGE. Mr. President, I will say to the Senator from Georgia that I do not think the favored-nation clause would have any practical operation if we name Belgium in the amendment unless some other country could produce immigrants to whom the same conditions applied. In that event they could undoubtedly make a point under the favored-nation clause, but I do not think it would hold or is a practical question, because this is temporary and relates to peculiar circumstances. However, there was objection made in the Senate that we should hurt somebody's feelings if we named Belgium, and I tried to avoid that objection, in the hope that we could get something we could all agree upon by taking the amendment of the Senator from Mississippi, which names nobody, but contents itself with a description. I am inclined to think that my own form of amendment is on the whole the best and that the descriptive terms would require decision on international relations upon which they ought not to pass.

Mr. SMITH of Georgia. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. I yield.

Mr. SMITH of Georgia. I only wish to say to the Senator from Massachusetts while he is still upon the floor that there are a number of us who would very much prefer to vote flatly for the admission of the Belgians, provided the members of the Committee on Foreign Relations, who are more familiar with the subject than most of us, will advise us that no treaty complications would be produced by reason of using the specific term "Belgium."

Mr. LODGE. If you make it applicable to all Belgians by name without any of the conditions embodied in my amendment, why of course then you open questions under the favored-nation clause.

Mr. WHITE. Mr. President—

Mr. LODGE. One moment, Mr. President. If you leave it as I have it with certain conditions put upon it others can not raise that question unless they are prepared to fulfill the same conditions.

Mr. ROOT. Mr. President—

Mr. LODGE. I yield to the Senator from New York.

The PRESIDENT pro tempore. Does the Senator yield the floor, or just yield for an interruption?

Mr. LODGE. No; I yield for an interruption. I have no right to yield the floor.

Mr. ROOT. Mr. President, I do not think there need be any apprehension under the favored-nation clause of our treaties. I do not think those treaties stand in the way of the adoption of this amendment at all, any more than they would stand in the way of an exceptional or occasional permit to allow particular individuals to come into the country.

This amendment, as drafted by the Senator from Massachusetts, and equally the amendment as framed by the Senator from Mississippi, is an amendment applying to a specific situation. It is not general; it is not permanent. It permits Belgians to come here in the course of the present European war, or owing to circumstances or conditions arising from the war. I read from the amendment of the Senator from Massachusetts. I prefer the form of the Senator from Massachusetts to the form of the Senator from Mississippi because both of the suggestions of the Senator from Illinois [Mr. LEWIS] and of the preference of the Senator from Ohio. I think it is much less objectionable to name the country than it is to describe the country by enumerating certain facts regarding which, as the Senator from Illinois well says, there may be controversy. I think, with the Senator from Georgia, that we had better say what we mean with regard to the admission of immigrants from Belgium.

Mr. WHITE. Mr. President, I should like to ask the Senator from New York a question, if it is agreeable.

Mr. ROOT. Certainly.

Mr. WHITE. Is there not danger that while this description now simply covers Belgium, in the future conditions might arise which would make it fit other countries whose immigrants will not be so desirable?

Mr. ROOT. The Senator means, I presume, if the form suggested by the Senator from Mississippi were adopted?

Mr. WHITE. Yes.

Mr. ROOT. That may be a reason why the form of the Senator from Massachusetts is preferable. I think, as it relates to a particular situation, dealing with a particular exigency which is recognized by every nation on earth, there is no need for us to be apprehensive of violating the favored-nation clauses of our treaties.

Mr. POMERENE. Mr. President—

Mr. ROOT. Now, let me say one further thing, and I will refer to something the Senator from Ohio has said. I will yield to him now or I will say what I have to say first, just as he prefers.

Mr. POMERENE. Just in connection with what the Senator from New York was saying when this colloquy began, I should like to say that the language of the amendment proposed by the Senator from Massachusetts limited this privilege to Belgians who were engaged in agriculture; in other words, to agricultural immigrants. Now, I saw the technical objection, so far as naming any particular country was concerned; but the trouble which has come upon Belgians who are engaged in agriculture has also befallen those who are engaged in lace making or in any other manufacturing industry, and I was not able to see why we should extend to a Belgian farmer a privilege that we were not willing to extend to a Belgian mechanic or artisan of one kind or another. More than that, as we were taking up this particular subject, it seemed to me that we could extend our hospitality to those who had suffered the horrors of that awful war, whether they were Germans or Austrians or French or British or Belgians. That was my position.

Mr. ROOT. Mr. President, let me tell the Senator from Ohio one reason for making this provision regarding Belgium. The people of Belgium no longer have a country. It has been taken away from them. They no longer have a Government to watch over them or provide for them. Their Government has been destroyed and exiled. They are wandering over the face of the earth without a home.

Mr. POMERENE. Mr. President—

Mr. ROOT. One moment; I will not yield for a moment. There never has been, since the foundation of our Government, a people to whom the hearts of America have turned with as deep compassion or as strong a desire to give relief to suffering. There are no other people in the world without a Government to care for them. There are no other people in the world without a country.

It is but a few years since I passed through Belgium, and looked upon either side upon a garden. The whole country was a great garden of beauty and luxuriance, such as I had never imagined. The evidences of industry and thrift, of the existence of all those qualities which make a nation prosperous and happy, existed there to a degree that I have never seen surpassed anywhere in the world.

Now, those fields, which were so fertile, have been beaten down by the passing and repassing of armies. Those villages and towns have been destroyed. Two million of the people are exiles in foreign lands; without homes, for their homes have been destroyed; without means of living, for the fields that they tilled and from which they earned so rich harvests are covered by armies, and have been beaten down into a desert.

We are engaged in discussing a measure for the protection of the United States against undesirable immigrants. The proposal of the Senator from Massachusetts is that, while we are closing the door against them, we shall specially provide that we do not close the door against these homeless people, who have illustrated the highest and the best qualities of citizenship; that we shall except them and permit another means of succoring their distress, through the soil of the United States. Millions of dollars are being paid by our people to feed in their own land those that remain, and in Holland those that have left their land. Every day the stream continues of thousands of dollars, but that is temporary. The only way in which they can really be effectively succored is to enable them to begin producing. The production of the country has stopped, and this proposes to enable them to begin production in America.

There never has been, sir, within modern history a case like this. It is exceptional. It appeals to our best judgment in seeking to frame our law so that it will permit the entrance of the best material for citizenship, and it appeals to our noblest sympathies and the noblest sympathies of all the people of the United States. I think we should treat it as an exceptional case, and that it is better not to try to pretend that we are making a general provision applicable to all people.

Mr. LODGE. Mr. President, if I may be permitted to do so, I will allow my amendment to stand as originally offered.

The PRESIDENT pro tempore. Very well; then the direct proposition can be submitted to the Senate.

Mr. WILLIAMS. Mr. President—

Mr. LODGE. I yield to the Senator from Mississippi.

Mr. WILLIAMS. When I first rose, it will be remembered that I suggested that in my opinion the amendment as drawn by the Senator from Massachusetts was more specific and better covered the case. I afterwards suggested the modifications merely to satisfy certain minds in the Senate. That was merely a tactical reason. I am now of the opinion that the amendment will be just as strong, if not stronger, in the shape in which he has offered it than in the shape in which I offered it, and I therefore very willingly withdraw my amendment.

Mr. SMITH of Georgia. Mr. President—

The PRESIDENT pro tempore. The Senator from Massachusetts has the floor.

Mr. LODGE. I ask that my amendment as originally offered may be the pending question.

The PRESIDENT pro tempore. That will be considered the pending question.

Mr. LODGE. The pending question is my amendment, with the single modification of "purchase" instead of the words "take up."

Mr. POMERENE. May I ask to have the amendment stated again?

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 12, line 18, after the word "guests," it is proposed to insert:

*Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war or owing to circumstance; or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgium immigrants come prepared to purchase land in the United States and become American citizens.*

Mr. FLETCHER. Mr. President, I realize the danger and the difficulty of making exceptions in a bill like this, but I am inclined to favor the amendment as proposed by the Senator from Massachusetts. I prefer the amendment with the word "agricultural" in it to the amendment without it, because I do not know anything at all regarding the people engaged in factories and other occupations over there; but I had occasion, on the 2d of August last, to observe something of these Belgium farmers.

I was in Paris at the hotel facing the Gare du Nord Station, and the streets leading to that station had been roped off, so that there was an area of 3 or 4 acres in front of the station, an open space, into which there came on Saturday, August 1, and on the night of Saturday, and on Sunday, August 2, something like a thousand of these Belgium farmers. I inquired where they came from and how it was that so many of them seemed to be in France, and I was told that they had been en-

gaged in harvesting in the wheat fields of France. Each of them was carrying his little sack—with his clothes, I suppose—and his scythe and hook which he had been using in harvesting the wheat crop.

I observed them over Saturday night and over Sunday as they were camped in this area awaiting trains to take them to their homes. They were proceeding as rapidly as possible to what they considered the protection of their homes and their country. I never saw a more orderly, a more sober, courteous, manly set of men anywhere, and I am quite sure that men of that kind would be an acquisition, especially to our agricultural industry in this country.

For that reason, together with sympathy for some of the views which have been expressed here, I am inclined to favor this amendment, and shall vote for it.

Mr. SMOOT. Mr. President, I wish to suggest an amendment to the amendment to the Senator from Massachusetts [Mr. LODGE]. His amendment provides that these people shall be admitted "if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to purchase land in the United States and become American citizens." I believe that ought to be "purchase privately owned lands."

Mr. LODGE. I have no objection to that.

Mr. SMOOT. I make that suggestion, Mr. President, because it might interfere with our public-land laws if it were not specifically stated.

Mr. LODGE. I have no objection to that.

The PRESIDING OFFICER (Mr. GRONNA in the chair). The Senator from Massachusetts accepts the modification suggested by the Senator from Utah.

Mr. SMITH of Georgia. Mr. President, I shall vote for the amendment as it is offered if we can not broaden it. I should be glad to strike out the term "agricultural" and let it apply to all immigrants, and to strike out the term "take up lands in the United States," so that it would broadly permit Belgian immigrants to come to the United States. They would have that right at any time, but I would not limit it to those who purchased or to those who come prepared to purchase. I would let it read, if I framed it to suit myself—

or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said immigrants come prepared to become American citizens.

I move, Mr. President, to strike out the word "agricultural" before "immigrants," and to strike out, after the word "to," in the eighth line, the words "purchase land in the United States."

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment offered by the Senator from Georgia.

The SECRETARY. It is proposed to strike out the word "agricultural" where it appears before the word "immigrants" in line 3.

The PRESIDENT pro tempore. The Secretary will read the amendment as proposed to be amended.

The SECRETARY. So that the amendment will read:

*Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to immigrants from Belgium who come to the United States during the course of the present European war, or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgium immigrants come prepared to become American citizens.*

Mr. SMOOT. Mr. President, it seems to me that if the Senator is going to limit the amendment by the words stricken out by him he ought to strike out all after the word "war," as follows: "If it is shown to the satisfaction of the Commissioner General of Immigration that such Belgian immigrants come prepared to become American citizens." I do not think that language ought to be in the amendment. I think, if we adopt the amendment that has been offered by the Senator from Georgia, it certainly will fall under the favored-nation clause, and I believe it will mean the defeat of the amendment. That is my opinion.

Mr. WALSH obtained the floor.

Mr. SMITH of Georgia. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Georgia?

Mr. WALSH. I yield.

Mr. SMITH of Georgia. I should like to ask the Senator from Utah why, by striking out the word "agricultural" and striking out the provision that they must be prepared to purchase lands, the amendment would fall any more under the favored-nation clause of our treaties than it would fall under the proposed terms of the amendment?

Mr. SMOOT. I think, with the amendments suggested by the Senator, it becomes so broad that all Belgians could enter the



United States and be relieved from the illiteracy test, the contract-labor provision, and the provision as to induced or assisted immigration.

Mr. SMITH of Georgia. I admit that.

Mr. SMOOT. Therefore, I think it certainly would fall under the favored-nation clause of our treaties.

Mr. SMITH of Georgia. But why would it fall any more under it to let them broadly come in that way than to say that they could come if they were prepared to purchase lands in the United States? If it would fall in the one instance under the favored-nation clause to admit these Belgians broadly, growing out of their conditions incident to the war, if they did not come prepared to purchase lands, would it not equally fall under the restrictions of the favored-nation clause to say that Belgians alone could come if they were prepared to purchase lands?

Mr. SMOOT. That is true as far as the purchase of land is concerned, but that is not true as far as the word "agricultural" is concerned. The lands of the agricultural people of Belgium have been laid waste; their crops have been destroyed; they have been driven from the land. The mechanics and other classes of citizens of Belgium can in many cases secure employment in France, Holland, and England, but the farmer can not. The Belgian mechanic may be in the same position as the mechanics of other belligerent nations; and, if so, to allow them to enter under the proposed amendment certainly would fall, in my opinion, under the favored-nation clause.

Mr. SMITH of Georgia. If they have all been driven out of Belgium, practically, and are wanderers from their homes, would it not be equally as proper to admit one class as the other?

Mr. SMOOT. What I wished to impress upon the Senate, if I could, was that the agricultural people of Belgium are in an entirely different condition than the agricultural people of any other country; and that being the case, they would not fall under the favored-nation clause, in my opinion.

Mr. WILLIAMS. It can all be properly worded in conference, anyhow.

Mr. SMOOT. And if we take that into consideration, and they are the facts, then it would fall under the favored-nation clause.

Mr. WALSH. Mr. President, if the amendment offered by the Senator from Georgia should not prevail—and I shall vote for it myself—and the question recurs upon the amendment as it theretofore stood, I trust the amendment suggested by the Senator from Utah will not prevail. I think it should be left as it is. There is no reason whatever for—

Mr. LODGE. The Senator means as I originally drew it, so as to read "purchase land," without saying "privately owned"?

Mr. WALSH. Yes, sir; because, Mr. President, we want to afford these people an opportunity to purchase agricultural lands, so far as agricultural lands can be purchased, from the Government of the United States, and from the States as well.

In my own State large areas of lands have been transferred by the Government of the United States to the State upon the consideration that the State shall reclaim these lands by works of irrigation under what is known as the Carey Land Act. The State has those lands for sale, and Belgians have already come to the Carey land projects in my State. A large colony have come within the last three years to take over homes upon one of these projects. We are delighted to have them as prospective citizens of our State. They are required to buy these lands from the State, and to enter into contracts with the contractor who carries on the works of irrigation to take water from the irrigation works. We want to give every opportunity to those people to acquire Carey lands from the State, and thus it would be inadvisable to make the restriction suggested by the Senator from Utah.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Utah?

Mr. WALSH. I do.

Mr. SMOOT. I will say to the Senator that I had in mind the purchase of public land, but since he has called attention to the purchase of lands selected under the Carey Act I can see that the amendment suggested by me might interfere with the purchase of such lands. Therefore I will ask that the amendment proposed by me and agreed to may be reconsidered, and I will withdraw it.

The PRESIDENT pro tempore. Unless there is objection the amendment proposed by the Senator from Utah will be considered as withdrawn.

Mr. JONES. Mr. President, this amendment, as now presented, seems to me to be a most remarkable one.

I sympathize very much with the reasons given by the eloquent Senator from New York as to why we should help out the Belgians. I would be constrained to vote for an amendment that would carry out the ideas he presented; but this amendment does not do that at all. This amendment starts out by saying that an agricultural Belgian who has been deprived of his home, deprived of his occupation, and driven from his country, shall be permitted to come into this country; but not all of those can come in under the latter part of this remarkable amendment. Only the man who has money can come in.

Mr. LODGE. Mr. President, if the Senator will allow me, I am afraid I did not have the good fortune to have the Senator's attention while I explained the amendment. It is drawn in conformity with the request of those persons and associations who are interested in bringing the Belgians here. They furnish the money. They do not expect the Belgians to do it.

Mr. JONES. They are going to buy the land for them, are they?

Mr. LODGE. They are going to buy the lands and stock them. They are prepared to give \$2,500 to a family.

Mr. JONES. Mr. President, I think that makes it even worse. I should like to know—

Mr. LODGE. Perhaps it does. It is charity. It may make it even worse.

Mr. JONES. I should like to know who the people composing this committee are, and where they propose to put these Belgians, and why it is that they are not helping some of the shoemakers of Belgium to get into the shoemaking industry in this country and get established there, and furnish them with funds, and furnish them with employment. They are suffering just as much as any agricultural immigrant who may want to come in here.

A man who is deprived of his occupation and deprived of his way of making a living is just as much entitled to help if he works in a factory as the man who works on a farm. If we are going to be generous to these people, let us be generous to them regardless of the occupation they have been following in Belgium, and regardless of the occupation they propose to follow in this country. Let us follow the principles of humanity pointed out so eloquently by the Senator from New York, and help out all of these poor people if they deserve help and assistance.

Mr. SMITH of South Carolina. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from South Carolina?

Mr. JONES. Certainly.

Mr. SMITH of South Carolina. I would like to call the attention of the Senator from Massachusetts who proposes this amendment to the fact, as I understand it, that Belgium is now an ally of one side in the great conflict in Europe, and in accordance with her pledge she refused to allow her neutrality to be overrun by one of the contending powers. That compact was made with one on the other side in the struggle. Therefore until the conflict shall have ended Belgium is to-day bound to put into her army every able-bodied man she can to sustain the position she now occupies. The Senator's amendment applies to those who during this war come here for agricultural purposes. Certainly none but the aged and those too young to engage in agricultural pursuits could come. Another clause reads "owing to circumstances or conditions arising from the war," which, I presume, means to take into consideration their condition when the war shall have terminated. When the war shall be terminated, if it is terminated in favor of the side to which Belgium is a party, then they would go back. But the amendment would be inoperative under any circumstances so far as getting desirable citizens are concerned because of what I a moment ago said; the able-bodied in every walk of life are engaged in the war and will so continue to maintain the high standard held up by the Senator from New York and the Senator from Massachusetts. For that reason I can not see what we are going to gain except to bring from Belgium the decrepit, the old, and families whose heads and whose strong arms are engaged in the conflict.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. SMITH of South Carolina. I thank the Senator from Washington for allowing the interruption.

Mr. JONES. I thought the Senator from South Carolina was going to ask me a question or I would not have yielded, because I have only a word or two more to say with reference to this matter. I will ask the Senator from Massachusetts, however, a question as to what he means by agricultural immi-

grants, whether those who were engaged in agriculture before they come here or who come here saying that they intend to engage in agriculture.

Mr. LODGE. Those engaged in agriculture.

Mr. JONES. In their own country?

Mr. LODGE. In their own country.

Mr. JONES. It seems to me that there might be some question about it, and that if a person were brought here saying he expected to engage in agriculture and wanted to engage in it he would probably be allowed to come in.

Mr. President, I do not just like the idea of passing legislation here to help those who apparently have organized some society to bring people here for their purpose, confining our legislation by terms to simply cover the people they want to bring here.

If we are going to pass this legislation because of our sympathy for the Belgians and the condition they are in, then it seems to me we can not discriminate between two classes of Belgians, the mechanical working class and the agricultural class, and that the reasons so eloquently given by the Senator from New York apply to one just as well as to the other. If we are going to pass this legislation, let us make it apply to all the people of Belgium, who have suffered equally in this terrible struggle. I myself doubt the wisdom of passing it. I would not be inclined to oppose it as a general proposition, but with the limitation put in I shall certainly vote against it.

Mr. LODGE. Mr. President, we made these limitations because of representations made to me by those who are interested in helping those unfortunate people to come here and make a new start in life. But I am entirely ready to vote for that amendment if it gives the same right to all immigrants from Belgium under the conditions stated in the amendment. I do not mean the agricultural conditions, but the other conditions. I shall vote for it in any form. If I can not open the door to them all, I will open the door to a part of them.

Mr. MARTINE of New Jersey. Mr. President, the appeal for the Belgians strikes me very strongly. Thirty-five years ago there came to the neighborhood of my home town a family of Belgians by the name of Prosper Berkesman. They settled there in my community and afterwards went to Georgia. I think the Senator from Georgia will perhaps recall the name. They went into the culture of fruit on the most extensive scale and they made for themselves great fortunes and a great mark in that community. They brought with them a great retinue of thrifty Belgians to work on their farm, a farm of about 400 acres. Many of those Belgians still remain there. They are a splendid class of citizens, thrifty, honest, frugal, and marvelously industrious. So I should like to do that which I could for the Belgians. Yet my heart and soul are big enough to reach beyond just that little State of Belgium. Why not take in those from Germany, from whence I have said my mother came? I would like to add those in Alsace and Lorraine. Those Provinces have been ravished by this hateful and horrid war.

I should like to vote for the amendment of the Senator from Massachusetts; but I would suggest, as an amendment to it, to strike out the word "agricultural" and the words "from Belgium." Then it will take in humanity pretty completely.

It is remarkable to me how the Senator's mind seems to have changed. A day or two ago in the Senate the only test which was known to us was illiteracy—an immigrant must be able to read, and if he could not read, even though he was blessed with the form of Apollo, however desirable in the way of physique and general good health, all these things counted for nothing. He might be frugal, he might be honest and faithful; but if he could not read, that was the thing that should bar him out. To-day we learn that he is all right if he has the cash. Thrifty Massachusetts is still after money. Money is the desideratum. If you have the cash, I do not know who has the tract, but you will find that somebody in thrifty Connecticut or thrifty Massachusetts doubtless has the tract to sell to the Belgians. Now, when we have the cash, the purchase money, to pay for all these things, that is preeminent as against literacy—literacy counts for naught.

Now, my friend, I believe your heart is right; but, in all seriousness, if you want to aid down-stricken humanity who have been crushed beneath the heel of military despotism, whether it be in Belgium, whether it be in France, whether it be in Germany, or in the Provinces of Alsace or Lorraine, or in Russia's frigid zone, in Heaven's name, I ask you to strike out the word "agricultural." I am an agriculturist. I love the occupation and realize its great value to this land, but there are a million other avocations which are primarily necessary to the well-being of this country. Take the rich South, with its teeming acres that demand aid, the picking of cotton or the draining of swamps or

reclaiming worn-out land, and in a thousand ways a more liberal system of immigration will aid it.

So I say, my friends, with all earnestness, strike out the word "agricultural," strike out the words "from Belgium," and then go forth again and let our Statue of Liberty in the harbor of New York mean what it was put there for—a shining light, a beacon for the downtrodden and the oppressed from every clime with clean bodies, sane minds, honest, faithful purposes, and the rest we can leave to the assimilation of this wonderful country, this God-blessed land.

Mr. LODGE. Mr. President, I have no objection, as I have already said, to taking out the limitation as to agricultural immigrants or the limitation about the power to purchase lands which, of course, relates only to the relief of the assisted or the induced. The plan was not to plant it in New England. It is not a place to plant agricultural immigrants, I am sorry to say, except in a very few favorite places. The plan was to give them an opportunity in the still unoccupied lands of the South and West. But I am perfectly willing that the limitation should be taken off. However, I am not willing to take out the Belgium limitation. The whole purpose is to aid that particular unfortunate people who are adrift on the world without homes, without country, without a government. It has no meaning if it is broadened to cover the whole world.

Mr. TOWNSEND. Mr. President, I do not wish to criticize the generous spirit of humanity which moves Senators to offer this amendment. I sympathize with their feelings to the very limit. I am constrained to believe, however, that the possible complications and injuries to our own people and to the immigration law itself more than balance any probable good that can come to a few Belgians through this amendment.

That complications are involved in this proposition no thoughtful Senator will deny. Why the Belgians? Not because they are victims of dreadful war. Millions of other Europeans are similar victims. Are we not treading on at least questionable grounds, if indeed it is not dangerous, when we select a race from among belligerent races for special favors? It is intimated that Belgium has been outraged without provocation. Senators may so believe; the world may so believe; but Germany denies it. Are we to settle that question here? I am sorry that it has been raised.

The amendment annuls the prohibition against foreign contract labor. Where is this to end? It will surely rise to plague our country. And yet it is solemnly proposed to allow some men, organization, or corporation to contract with Belgian agriculturists to come into this country provided they purchase lands. Purchase where and of whom? Why agriculturists? Have not the farmers of the United States hard times enough that especial competition should now be forced upon them? There is no assurance, however, that these immigrants will remain on the farm, and everyone knows that we already have enough idle workmen.

I can not consent, Mr. President, to allow men to come in here to compete solely with farmers. I would not consent at this time to their coming in to compete with labor under existing conditions, because charity begins at home. Why, sir, we are amending our immigration laws for the benefit of our own people. We have quite a problem on our own hands at this minute, a big problem. Help the Belgians, as you ought. Every generous American is now helping that torn and distracted people, but in the meanwhile do not add to the distress of our own people. Do not complicate more our already perplexed foreign relations. Do not undermine our beneficent law against alien contract labor. At a time when a million idle, hungry American laborers are pleading for work in order that they may have bread, let us not add to their misery and despondency by legislating competition upon them. I must know more about this scheme of contracting with foreign laborers and be convinced of the magnitude of the proposed blessings to be conferred by this amendment before I can give it my support.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Georgia [Mr. SMITH] to the amendment offered by the Senator from Massachusetts [Mr. LODGE].

Mr. MARTINE of New Jersey. I call for a quorum.

The PRESIDENT pro tempore. The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Crawford	Fletcher
Bristow	Clapp	Culberson	Gallinger
Bryan	Clark, Wyo.	Cummins	Gore
Burton	Clarke, Ark.	Dillingham	Gronna



Hardwick	McCumber	Pomerene	Swanson
Hitchcock	McLean	Reed	Thomas
Hughes	Martine N. J.	Robinson	Thornton
James	Myers	Root	Townsend
Johnson	Nelson	Saulsbury	Vardaman
Jones	Norris	Shafroth	Walsh
Kenyon	O'Gorman	Sheppard	Weeks
Kerr	Oliver	Simmons	White
Lane	Overman	Smith, Ga.	Williams
Lee, Md.	Page	Smith, Md.	Works
Lewis	Perkins	Smith, S. C.	
Lippitt	Pittman	Smoot	
Lodge	Polindexter	Sterling	

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. ROOT. Mr. President, I should be very glad to have a provision in the form and going to the extent suggested by the Senator from Georgia, but I fear that the objection that that would open the door to the introduction of contract labor in the future would imperil the whole provision.

Mr. SMITH of Georgia. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Georgia?

Mr. ROOT. Certainly.

Mr. SMITH of Georgia. I sought the ear of the Chair, just as the Senator from New York rose, for the purpose of stating that I am so much in favor of what is embodied in the amendment of the Senator from Massachusetts that I am unwilling to jeopardize it by seeking to obtain what I would be very much gratified to see added by way of amendment. Therefore I wish to withdraw the amendment to the amendment.

The PRESIDENT pro tempore. The Senator from Georgia withdraws his amendment to the amendment.

Mr. JONES. I desire to renew the amendment, in substance anyway. I move to strike out the word "agricultural" and all after the word "war" in line 6.

The PRESIDENT pro tempore. The question is on the adoption of the amendment of the Senator from Washington [Mr. JONES] to the amendment of the Senator from Massachusetts [Mr. LODGE]. [Putting the question.] The "noes" seem to have it.

Mr. JONES. I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment to the amendment was rejected.

Mr. BRISTOW. Mr. President, as I understand the amendment offered by the Senator from Massachusetts, it is that exception be made from the exclusion rule of the bill for the Belgians who come here within a certain time to engage in the pursuit of agriculture. I can not see why they should be permitted to come here and engage in the pursuit of agriculture and not in other pursuits. That being the case, it seems to me that the amendment offered by the Senator from Washington [Mr. JONES] is entirely proper. If the bill is to be amended by the exception suggested, then it should not be confined to agriculture only.

There is no occasion to invite people of other countries to come here and engage in agriculture and agriculture only. I can not understand why such a proposition should be made. Because a man happens to be engaged in farming in Europe, and because of conditions that exist there he becomes in want and we offer our country as an asylum for him, why should not the man who happens to be engaged in some mechanical work, some manufacturing establishment, be invited to come here and find a home as well while the conditions which now oppress him exist?

Mr. JONES. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. I do.

Mr. JONES. It has been suggested, I understand, that if the word "agricultural" is stricken out, leaving it broader, that that would bring it under the terms of the favored-nation clause. Does the Senator know of anything in that clause to limit it to agricultural people?

Mr. BRISTOW. No; I can not understand the purpose of inviting the people of a foreign nation to come here and engage in agriculture exclusively, and that is what it means. It seems to me it is a strange proceeding for the United States Senate to contemplate.

Mr. WALSH. Mr. President, it seems to me there is a very sound basis for the distinction concerning which the Senator from Kansas asks information. As I understand it, this law restricting immigration is particularly necessary by reason of the accumulation of people of foreign birth in the great industrial centers. The contract-labor law was originally enacted because those engaged in industrial pursuits in which large numbers of people were employed were in the habit of going abroad to obtain cheap labor and engage in those industries.

I suggested to the Senate a little while ago that we have some of those Belgian immigrants in my State engaged in agriculture. We hope that their number may be swelled very largely, indeed. We should like to hold out some inducement to come to our State to take up unappropriated lands owned by the General Government, as well as lands owned by the State. We do not want to subject ourselves to penalties that are generally imposed by this bill upon those who even offer inducements to people to come out.

On the other hand, Mr. President, the labor market, for instance, of the city of Butte, the chief industry of which is mining, is to-day glutted. We do not care to have the great mining companies in the city of Butte or the steamship companies that might be operating in connection with them offer any special inducements to bring other laboring men to the city of Butte in order to engage in competition with those employed there in the mines.

I suggest that simply to the Senator from Kansas as a very sound basis upon which to make a distinction between those who come here for the purpose of engaging in agricultural pursuits and those who come here to work for wages.

Mr. BRISTOW. May I inquire of the Senator from Montana why it is that the industrial center of Butte is congested with labor while the farms of Montana are not?

Mr. WALSH. It is chiefly because it has been regarded as more profitable, I suppose.

Mr. BRISTOW. Exactly. Then, it is more profitable to work in the other industries of the United States than on the farm. Make it as profitable to follow the business of farming in the United States as it is in other industrial pursuits and you will find there will be more farmers, but instead of that you are inviting foreigners to come here to engage in the least profitable of our industries and excluding them from the industries that have been the most profitable.

Because the American farmer has not an organization here to exercise political power to defend his rights you would flood him with competition from everywhere, from every part of the earth, but there are organizations in industrial centers that can protect those employed in the industries, that can protest against the crowding of their centers with the unemployed, then we can exclude them; but the farming population that has not the political organization to protect its rights is not protected, nor is an effort being made to protect it apparently by the American Congress.

Mr. McCUMBER. I wish to ask the Senator from Montana if it is any more an injury to the American public to create a surplus of labor in the city than it is to increase the surplus of the farming production? Both have a direct bearing upon the compensation for labor. We are already producing in the United States of every character of farm produce far more than we can use in the United States. We have a surplus of every single character of farm produce, and that surplus keeps the prices down except as it is now raised a little above the level because of the war conditions.

Then, if we have to protect labor against surplus because of its influence upon the value of labor, why should we not protect the farmer against more laborers upon the farm, who will increase his surplus of production and thereby diminish the value of his own labor?

Mr. WALSH. Mr. President, I shall be very glad to answer the Senator. There are quite a number of organizations in this country engaged in what seems to me a very commendable and praiseworthy effort to get numbers of people in the congested centers of the country to go out upon the farms. I think that ought to be encouraged.

Mr. President, I said some time ago that in all probability the mining center of Butte was congested rather than the agricultural districts, because those who went there thought it was more profitable. I do not agree with them. I think it would be eminently more profitable to them if they went out upon the farms. I rather sympathize with the Senator from North Dakota and with the Senator from Kansas, who are afraid, in the interest of the agriculturists of their own States, that their occupation is going to be overwhelmed with competition. I am very thankful that that sentiment does not prevail in my State at all. We are looking forward with a great deal of comfort to the time when our State will be annually producing, instead of 25,000,000 bushels of wheat, which it now produces, 100,000,000 bushels of wheat. I think I express the sentiments of the farmers of the State of Montana when I say that we are very desirous of having these people come here from Belgium in order to hurry the day when we shall have that production.

Mr. McCUMBER. Mr. President, I have heard this song of "back to the farm" ever since I have been in the Senate. It is an annual song, and its echoes never die, but I have never

yet seen any good result from it. Population will always drift to the center of the greatest remuneration for labor; that is a law that you can not change. Make farming pay as well as do other vocations and you will not need these laudable efforts of which the Senator is speaking to get people back to the farm. Our sons leave the farm and go to the cities because for a given amount of labor they can get greater remuneration and more enjoyment out of life. You fill your cities to overflowing, and you are compelled to pass your laws which will be for the general benefit of the city laborer as against the farm laborer because of the great surplus in your cities and the consequent high prices of living, and thus by this Jackscrew method every time organized labor raises its price it raises the price of everything that organized labor produces in the city. That again raises the prices of your rent and the things you must purchase in the city, and that again creates a higher price for your labor. So you are sending your prices upward and skyward all the time, while the unorganized farming element of the country can not raise the price of their labor to correspond with the constant increases in the prices of the articles which they are compelled to purchase.

The only thing that has helped the farmer out in the slightest degree this year has been the European war, which has created in the North a greater demand for foodstuffs, but which has injured the South just to the same extent that it has benefited the North by driving down the price of their principal product because of the lack of customers.

Mr. President, there are other vicious things in this proposition. First, you will pass the proposition to let the Jew enter as against the Christian in Russia. I never before heard that it was a particular crime to be a Christian any more than it was a crime to be a Jew, but you have provided that the illiterate Christian from Russia can not come in, while the illiterate Jew can come in. It would seem that the illiterate Roman Catholic from Italy is not a desirable citizen, but that the illiterate Jew from Russia is a desirable citizen.

Now, we are going a little further in this kind of one-sided political-play legislation to reach out and invite the Belgians into this country. Why not invite the Galicians? Galicia has been overrun and devastated by war; the Galicians are a good people; why not allow the Galicians, then, to come in if they desire to purchase farms in this country?

So Alsace has been overrun and devastated by war. Why not continue your beneficent legislation by declaring that the Alsations shall also be allowed to come in? Normandy, and indeed all of northern France, has been overrun and devastated. Why not allow those people in northern France, also in the theater of war, to come in and have an exception for their benefit? The people in eastern Prussia have suffered somewhat. Why not allow the Prussians to come in from the section which was devastated in the early part of the war by the Russian invasion, and why, then, not go a step further and open the door, just as it ought to be opened, and continue to keep it open just as we have done in the past?

Mr. President, I deprecate the fact that we should allow politics, sympathy, and everything else to influence us in this legislation by making exceptions for one section of the world and for another section of the world. These people are all Caucasians; the percentage of good people in the several sections does not differ to any appreciable extent. If we are going to close the doors against any section, let us close them against all; if we are going to open them, let us be, just as we have been in the past, the asylum for the persecuted, whether it be on account of religion or race or whether it be because of the environment and the lack of ability or opportunity to make a living in their own home country. These gates ought not to be closed in the face of any who would make good citizens, and we have enough in our law to keep out the bad ones.

It does seem to me, Mr. President, that it is almost an insult to our sense of justice to provide that the Belgian may come here to compete with the farmer, who makes on an average about 20 cents a day throughout the United States, when he can not compete with the bricklayer, who gets \$5.50 a day for eight hours' labor, thereby not only making your discrimination unjust against the farmer, but also making it unjust as between different nationalities.

I know that there is probably force enough back of this proposition to put it through, but I for one, having a sense of equal justice for all my fellow men and for all classes of American citizens as well as for foreign citizens, want to voice my protest against such one-sided legislation.

Mr. REED obtained the floor.

Mr. LANE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Oregon?

Mr. REED. I yield to the Senator from Oregon.

Mr. LANE. I shall occupy but a moment if the Senator will allow me. I presume everybody in the world admires the Belgians. From the way they have fought their fight we love them, and no one would go further to do them a kindness, to be generous with them, than would I. I have that feeling, and I do not wish to vote against any proposition which might be beneficial to them; yet at the same time, if you will look at this amendment calmly, you will see that it proposes to pay a bonus of \$2,500 each, I am told, to the heads of families, farmers from Belgium, to come here and till the soil. I do not know who is to advance the money; but at any rate the Belgian comes here a good man and probably a good farmer—a man who will make a good citizen. He goes into competition with American farmers in their method of making a livelihood, while the farmers in the South, owing to the calamity of the European war, I am told, by the hundreds of thousands have been wiped out of business. The farmers on the Pacific coast who are in certain lines of industry—those raising hops and those raising fruit—have lost money; they are poor; they are hard up. Here we go and import a certain select portion of the Belgian people by a law which singles them out, and we bring them here backed with capital from Europe, and some, I am told, advanced by American citizens who wish to put a certain proportion of them into the South, where they are needed, I presume, in some ways, though not in the raising of cotton, I should judge, at this time; but they will come into competition with people who are already suffering from want from their efforts in agricultural lines.

I think the proposition ought to be broadened out. It is not quite a fair one; it is special legislation. There are a million men in America who are without work to-day, and a million women and children who have not too much to eat or to wear. We owe them also a little bit of consideration.

At the same time, as I say, I want to do all I can for the Belgians. I would much prefer at this time to make an appropriation out of the Treasury for the benefit of the Belgian people, whom I respect and admire, rather than in this circuitous method attempt to do an act of generosity at the expense of our farming community.

Mr. PITTMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Nevada?

Mr. REED. I yield to the Senator from Nevada.

Mr. PITTMAN. Mr. President, I simply desire to say a few words on this matter which is of vital importance to my State. The Senator from North Dakota [Mr. McCUMBER] asked the Senator from Montana [Mr. WALSH] why most of these immigrants were employed in the mining industry in his State. I want to state that a great many of them are employed in the mining industry in my State. I am perfectly familiar with the character of the people who are employed in that industry who come from foreign countries.

The reason why they come to this country and why they go into this particular character of enterprises is not entirely because those industries pay more than do others, but because the people who conduct those classes of enterprises in this country seek such labor. While there is a law against contract labor, there are many ways of avoiding it, even though the letter of the law is not violated.

We do know that such immigrants are invited here for the purpose of going into those enterprises in competition with American labor. They come here as laborers, whether they come under a contract before they start or with the knowledge that they will obtain a contract after their arrival. Those classes of people are not agriculturists. They have no knowledge of farms at all; they are not fit for farming when they get here. They simply enter into competition with our day laborers in this country; and the object of this legislation is to prevent that if it be possible to do so. Too great an influx of such immigrants also lowers our standard of living, and our object is to prevent that.

The Senator from North Dakota has said they will come in competition with the farmers of his State. He said that to-day we are producing more in this country than the country needs, than the country can use. That may be true; but the world is not producing more to-day than the world demands; in fact, the statisticians in every country admit that the supply is decreasing in proportion to the demand; and one of the greatest problems to be solved to-day, not only in this country but in every other country, is to increase the production of foodstuffs to meet the demands of the peoples of the world. The Senator can not take the demand of our own country solely because we ship our products to every country. I think he knows that the greatest problem that we have to-day is to reduce the cost of living for



the man who is existing on a fixed wage and a fixed salary. I do not think it is a broad stand to take to say that we will curtail the production of foodstuffs in the interest of any locality or of any community. The surplus over home consumption has been rapidly and steadily decreasing in the last few years, and our economists have warned us that in the near future we will have difficulty in supplying the domestic demand.

Mr. McCUMBER. May I ask the Senator from Nevada a question?

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. PITTMAN. I do.

Mr. McCUMBER. Is labor generally producing more than the world demands to-day any more than is labor on the farm? Does not the world demand the products of labor to a greater extent than it can possibly get to-day, the same as it is demanding the products of labor in the shape of food?

Mr. PITTMAN. There is not the same demand for physical labor in the manufacturing industries as there is to-day in the industries for the production of food.

Mr. McCUMBER. No; but is there not a demand for the product of that physical labor in the world to-day as much as there is a demand for food?

Mr. PITTMAN. If there were the same demand for it, there would be the same demand for manufactured products as for foodstuffs. I think that answers the Senator.

Mr. McCUMBER. I do not think it does, because I do not know that there is any great demand for our farm products to-day, except in one particular line. We find no great demand for our cotton, which is the product of farm labor. The conditions of the world at war have prevented the export and the consumption of that article, and the world is suffering to-day in labor circles because of the inability to export the products of that labor. We are all suffering from the same cause.

Mr. PITTMAN. The foreign demand exists to-day the same as ever. The supplying of that demand may be interfered with by artificial conditions, but the fact remains, and it is not capable of dispute, that the demand for foodstuffs is increasing at a greater ratio than the production of foodstuffs in the world; and the condition in the market to-day for meat and for wheat proves that beyond a doubt; and it does not require any argument whatever. Our own Department of Agriculture to-day is doing everything in its power to bring to the attention of this country—not only to the attention of legislative bodies, but to the attention of the people as a whole—the fact that something must be done to increase the supply of foodstuffs throughout the country.

Mr. McCUMBER. If the Senator will allow me, I want to ask him in regard to the statement that there is a greater growing demand for food products. Food products, such as wheat, flour, fruit, and everything of that character, have increased in quantity far beyond any other products in the world during the last 10 years. During the last 10 years in the United States alone we have increased over 50 per cent, and many other countries of the world, such as Argentina, have increased their production even 2,500 per cent in that time. There is, however, no product of labor that is increasing so rapidly throughout the world as are food products.

Mr. PITTMAN. I may say to the Senator that there is a growing tendency, especially on the part of people in the ordinary walks of life, to eat more wholesome food, and we want to uphold that standard of life.

I desire to say to the Senator, also, that while the production of wheat in the world may have increased and the production of meat may have increased, the consumption of meat and the consumption of wheat have increased in proportion. If that were not so, then the price of wheat and the price of meat would not be so high to-day that the ordinary man working for ordinary wages can eat meat but on rare occasions.

Mr. McCUMBER. If the Senator will allow me once more, I have had occasion to examine food statistics quite closely, because my State is exclusively an agricultural and food-producing State; and, as a matter of fact, the amount of consumption of wheat per capita in the United States is going down all the time instead of increasing.

Mr. PITTMAN. Is that on account of the price?

Mr. McCUMBER. A few years ago it was 8 bushels per capita; now it is down to a little over 5 bushels per capita. Of course the size and capacity of the human stomach has not changed a great deal; but we are getting more of the imported products, such as fruits and articles of that kind, than we used to get, and are varying our table diet a great deal more than we used to do 20 or 25 years ago. As a matter of fact, while the principal food products are increasing in quantity beyond

any other products in the world, the amount of consumption is actually going down.

Mr. BRISTOW. Mr. President—

Mr. PITTMAN. Mr. President, let me answer the Senator from North Dakota, and then I will yield to the Senator from Kansas.

Mr. McCUMBER. The Senator does not think that the farmer in times of peace, for instance, has been getting too much for his farm products, does he?

Mr. PITTMAN. I think he has been getting an adequate price in comparison with what other classes of people of this country have been receiving for the products of their labor.

Mr. McCUMBER. Well, the Senator, I am afraid, has not lived in a food-producing State for the last two years—

Mr. PITTMAN. Not exclusively.

Mr. McCUMBER. Or he scarcely would have made that assertion. Taking the price of this labor that you are now defending—and I certainly want to defend labor and I want to defend the farmer alike—as a matter of fact, he was getting less, until the war broke out, in increased food products six or eight months ago than he had been getting through all of the years past, except a few years from 1893 to 1897.

Mr. PITTMAN. Mr. President, before this war commenced, or before it was even suspected, our Agricultural Department was warning the people of this country that there was danger of a shortage in foodstuffs, not only in this country but throughout the world. They were urging all kinds of economies in agriculture and teaching advanced methods of farming for the purpose of meeting that very condition. The price of foodstuffs had already risen. The situation is here. The Senator may live in an exclusively agricultural State; he may be satisfied to see the prices of foodstuffs go up so high that only a few people can eat them, so that he may benefit his people. We have farmers in our States as well as other characters of labor, and I would not do those farmers the injustice to say that they wanted to prevent the tilling of the land of this country to enhance the value of their foodstuffs. That was the argument used by the Senator from North Dakota. He opposed letting these men in because he did not want a bigger surplus of foodstuffs in this country; and that may be the issue. That is the issue that he laid down.

I want to say that the farmers of our State are not in favor of restricting the production of foodstuffs in this country. They want to increase them; and while the Senator from North Dakota states that there has been no increased capacity on the part of men to eat, I want to say that there has been an increase in desire for better food and an increased use of such food by those who could afford it. Such food should be in the reach of all.

Mr. BRISTOW. Mr. President—

Mr. PITTMAN. I want to know whether or not the Senator understands the condition under which some of the laborers of this country are compelled to live and the kind of foodstuffs that they are required to eat?

Mr. BRISTOW. I should like to have the Senator name some of the food products that the farmer is getting excessive prices for, or has received excessive prices for, during recent years?

Mr. PITTMAN. I will answer the Senator about that. I will take my own State for illustration. In our State they are to-day getting in the neighborhood of 15 cents a pound for meat on foot. You remember what it was a few years ago. If not, I can tell you that a few years ago they were not getting 4 cents a pound. It is not so much a question as to whether that price is excessive as to whether the supply will continue to decrease and the price increase.

Mr. BRISTOW. Will the Senator please state the character of meat that is selling on foot at 15 cents a pound? Will the Senator please tell us what live animals are selling at 15 cents a pound in Nevada?

Mr. PITTMAN. They are getting 15 cents a pound.

Mr. BRISTOW. For what?

Mr. PITTMAN. For calves.

Mr. BRISTOW. For veal?

Mr. PITTMAN. Yes; for veal.

Mr. BRISTOW. Will the Senator please state what other food products except veal are bringing an excessive price?

Mr. PITTMAN. Beef, mutton, pork, and vegetables are proportionately high. If the Senator wants to know more, I will refer him to the Agricultural Department at Washington to determine that question.

Mr. BRISTOW. Why not refer it to the market where the farmer sells his products?

Mr. PITTMAN. I will tell you why. I do not want to go into a statistical argument with the Senator upon this subject, because the whole world knows it; because everybody out

through this country to-day is crying out on account of the high cost of living; because the Democratic Party, if the Senator please, has promised to attempt to reduce the high cost of living, and the Republican Party has admitted the high cost of living, and throughout this country it is a fact denied by none.

Let me say to the Senator that while the cost of foodstuffs has increased in accordance with the law of supply and demand, the cost of labor, which is fixed by wage and by salary, does not advance in the same proportion, because there is a restriction upon it that is harder to overcome. I wish simply to finish this by saying to the Senator that we have in our State land that is capable of producing crops, but we have not the people to cultivate that land. The people of our State are satisfied with their enterprises and are engaged in those enterprises, but our State has invited the world to come there and utilize some of the richest of lands that can be found in any State. California to-day, through its chambers of commerce and big institutions, is inviting farmers to come and take up that land. Throughout all the West, where the land is not all taken up, they are inviting farmers to come in and occupy and cultivate it.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from Nevada yield to the Senator from California?

Mr. PITTMAN. In just a second. They are inviting them to come out there and take up land. They are not inviting men that are not agriculturists and farmers; they are not inviting the class of people who know nothing about it to do that work; but they do want their land farmed and they do want good farmers to take up those lands.

I am satisfied with the Belgians; I think their history denominates them as a people worthy of becoming citizens of this country. This bill leaves it to us to determine whether or not their intentions are to become farmers, whether they are farmers, and whether they intend to become citizens. I would be willing to have them come, and also the people of any other of the big civilized countries of the world, for that purpose. I know that we want them out there; we want to increase the products of our State; we want to reduce taxation by it; and we want to enable the people who live in that State and in this country to be able to enjoy the products of this country at a reasonable rate. I now yield to the Senator from California.

Mr. WORKS. Mr. President, the Senator from Nevada has referred to conditions in California. That matter has been agitated in my State very lately. Some of the civic organizations in that State have gone to the extent of sending out warnings against any laborers coming to California, because there are more laborers there now than can secure jobs. Many of them are out of employment.

We can very well sympathize with the Belgians; we do, all of us; but we have no right, Mr. President, to invite the Belgians or to allow them to come in here as laborers, if each one of them is going to displace an American laborer, and that is precisely the condition that would exist in my State. We do not need laborers in California any more than they do in Montana or in Nevada, but we do need farmers and farm hands. We are usually short of labor of that kind; but it will be a misfortune to the State of California if there were to be any considerable influx of labor immigrants from Belgium or elsewhere.

Mr. PITTMAN. Mr. President, the amendment that I am discussing now is limited exclusively to those who are farmers and who come here for the purpose of becoming citizens and engaging in farming enterprises.

Mr. WILLIAMS. And purchasing land.

Mr. PITTMAN. And purchasing land. I am opposed, as is the Senator from California, to bringing into this country hordes of laborers. I have always been opposed to it. His State does not need them; our State does not need them; we have already enough, if not too many, of that kind. What we need is another class of laborers who understand farming, who understand producing foodstuffs for the class of labor that we already have. That is all that this amendment applies to; and I think that the Senator's State does want agriculturists; I know that our State wants agriculturists.

Mr. CRAWFORD. Will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from South Dakota?

Mr. PITTMAN. With pleasure.

Mr. CRAWFORD. Do I understand that this amendment, as it is now proposed, only admits Belgian agricultural laborers who are to become purchasers of land?

Mr. PITTMAN. I should like to have the amendment read.

The PRESIDING OFFICER. The Secretary will read the amendment as proposed.

The SECRETARY. On page 12, line 18, after the word "guests," it is proposed to insert:

*Provided*, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to purchase land in the United States and become American citizens.

Mr. CRAWFORD. Mr. President, I do not want to take the Senator's time, but if he will permit me I should like to say that I am not in agreement with the position taken by the Senator from North Dakota and the Senator from Kansas. I come from an agricultural State, and one of the very serious things with which the farmers of my State have to deal is the question of securing farm hands; in fact, I think that in a great part of this country one reason why farms are abandoned and untilled is that it is impossible to secure farm hands. They are in the factories; they are working eight hours a day in the towns; they are accustomed to quit when the hands of the clock reach a certain place on the dial; they do not like the 12-hour labor they are required to perform on the farms.

I regret that the change was made here requiring that these people shall be purchasers of land. One thing we want, I think, through the agricultural regions of the West is these sturdy sons of Belgium who are suffering from the disasters of the war, who have been deprived of everything they have on earth except their strong hands, and who might be glad to come here and go out on these farms and perform the work for which there is such a great demand.

If the Senator will permit me just one word further, I wish to make this observation: In my State, at least, for a number of years we have maintained, out of the liberal appropriation made by the State legislature, a bureau called the commission of immigration. One of the purposes of that commission is to present the claims of our State as a successful agricultural region to the worthy settlers in Europe for the purpose of having them come into our midst and increase the number of the tillers of the soil in our State and cultivate lands that are now idle.

I do not take the view that it is against the interest of the farmers in the West to encourage the bringing in of worthy immigrants who will make good farmers and open up new fields, and, more than that, the bringing in of a class of farm labor that is so largely demanded by the farmers themselves.

I would gladly support this amendment if the provision requiring these people to be purchasers of land were stricken out of it.

Mr. JONES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. PITTMAN. I yield the floor. I have said all I desire to say.

Mr. JONES. I just want to suggest to the Senator from South Dakota—

The PRESIDING OFFICER. The Chair feels obliged to recognize the Senator from Kansas.

Mr. JONES. Will the Senator from Kansas yield to me for just a moment?

Mr. BRISTOW. I yield to the Senator from Washington.

Mr. JONES. I just want to suggest to the Senator from South Dakota that the word "purchase" was put in here awhile ago because it seems that there has been some association or organization formed that apparently proposes to advance money to these people or sell them lands; and they will probably take a mortgage at a pretty high rate of interest from these people whom they know to be industrious and sober and temperate people, and probably will keep them in a sort of state of peonage for 4, or 5, or 6, or 8, or 10 years.

Mr. CRAWFORD. I am not in favor of any such thing as that.

Mr. WILLIAMS. Nothing like that is proposed.

Mr. SMITH of South Carolina and Mr. McCUMBER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kansas yield, and to whom?

Mr. BRISTOW. I yield to the Senator from North Dakota.

Mr. McCUMBER. I simply wanted to answer the Senator from South Dakota.

Mr. REED. Mr. President, I thought I had the floor and had yielded to the Senator from Nevada. I have no desire to take anybody else off the floor.



The PRESIDING OFFICER. The Chair is unadvised that the Senator had the floor.

Mr. REED. Very well.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BRISTOW. I yield to the Senator from North Dakota.

Mr. McCUMBER. I wish to say to the Senator from South Dakota that upon his first proposition, as to which he said he was not in agreement with the Senator from North Dakota, he finds himself entirely in agreement. I did not say anything against agricultural laborers coming into this country. We would welcome them. We need them.

Mr. CRAWFORD. I may have misunderstood the Senator.

Mr. McCUMBER. We can not get them; but this amendment does not provide for agricultural laborers. It provides for those who come here with money enough to purchase a farm. It does not say how big the farm shall be or how little it shall be. It may be an acre or it may be a thousand acres—whatever the Secretary thinks should be the standard.

Mr. CRAWFORD. I understood the Senator to object to worthy Belgians who might come over with the money in their pockets and desire to purchase one of our South Dakota or North Dakota farms. I am sure our people would welcome them with open arms.

Mr. McCUMBER. There is good ground for objection on that line; but the main objection I made was that we seek to create a surplus of farm products and to bring in all of those who produce farm products, for the very purpose of driving down the value of those products by reason of the surplus, while at the same time we study to keep out the farm labor that we need to produce them. That is the viciousness of this proposition.

Mr. CRAWFORD. I will say to the Senator that that danger is very remote. I have not felt that we were in any very great danger that we were going to have too many farmers, too many farm hands, too many rich acres under cultivation producing too much food, because it would reduce prices. I have seen nothing to create great concern upon that score.

Mr. McCUMBER. When I was selling grain for a little over 50 cents a bushel before this war commenced I recognized that difficulty. When oats had gone down to 22 cents a bushel and farm labor was \$3 a day, I found there was some difficulty along the line of making ends meet. When barley, which costs us over 50 cents a bushel to raise, was only bringing 32 cents a bushel, I found some difficulty in selling enough barley to pay for the labor.

The Senator says we need to take up our farms. That would enrich the State; it would make more taxable property than we now have, and it may be very laudable to get more farmers into our State; but the fact exists, nevertheless, that if we are compelled to hire all the labor upon the farm, under conditions outside of this abnormal war condition, we can not pay the labor and raise enough upon our farms to keep them running. I know something about that, because I have tried it; and I tried it for a number of years until I found that I would have to leave the acres uncultivated because we could not get the labor to take care of it at prices we could afford to pay.

Mr. CRAWFORD. I should like to see a lot of good Belgian farm hands out on the farms in my State.

Mr. McCUMBER. Where the farmer himself, who lives off his farm, does his own work, and his child less than 14 years of age does a man's work, or a woman's work, he will exist; but if you had the same rules applying to his labor that you have in the cities in regard to child labor, and the number of hours of labor, every one of them would be in bankruptcy in six months.

Mr. BRISTOW. Mr. President, the Senator from Nevada [Mr. PITTMAN] speaks of the congestion in the labor centers, and the Senator from South Dakota [Mr. CRAWFORD] refers to the absence of labor on the farms. The Senator from North Dakota [Mr. McCUMBER] complains that the farmer can not make a profit in his business because of the price he has to pay for labor.

The remarks of these three Senators point out a very serious economic situation, in my opinion, in the United States. If, as has been remarked, the wages paid on the farm the year round were as much, for the same amount of work, as the wages paid in the cities the American boy to-day would not be leaving the farm and going to the city. That is as true as any axiom. The reason that the American boy leaves the farm is because there is no profit in working on the farm.

What is the condition within a radius of 100 miles of this Capitol to-day? There are thousands and tens of thousands of laborers on American farms east of the Allegheny Mountains who are working for a dollar and a quarter a day and boarding themselves.

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. I do.

Mr. CLAPP. I think that statement must be taken with some qualification. These men are usually provided with habitations, so that the question of rent does not concern them. They are almost invariably allowed a certain part of the product of the farm itself.

Mr. BRISTOW. I beg the Senator's pardon. He is entirely mistaken. I am not referring to that class of labor which lives on the farm and is furnished a house and other perquisites. They do not get a dollar and a quarter a day. They get a dollar a day or less.

Mr. CLAPP. Many of them get a dollar and a quarter a day.

Mr. BRISTOW. Well, concede that they get a dollar and a quarter a day. Suppose they get a dollar and a half. The Senator can not mention a farmer within a hundred miles of the Capitol at Washington who is paying for day labor to-day more than a dollar and a half a day in the field, and the laborer boarding himself, in his own house, independent of the farm.

Mr. CLAPP. No; but the Senator from Minnesota can demonstrate that a man on a farm, working for a dollar a day and boarding himself, is better off than a man in the city who tramps the streets for work. I say the Senator is mistaken in the economic principle underlying the discussion. It is not the fact that the boy gets more in the city, but there is something about the city that attracts and allures; there is something in the very matter of the aggregation of population that draws. I am in hearty sympathy with the Senator's provision, but we have got to go deeper than that.

Mr. BRISTOW. Mr. President, I dislike to disagree with my friend from Minnesota, but I utterly disagree with him. It is more attractive to live in the city, under the electric lights, when you get paid \$4 a day for eight hours or when you get paid fifty, sixty, or seventy-five dollars a month for eight hours' labor; and when you offer that to the American youth in lieu of a dollar and a quarter a day and boarding himself or a dollar and a half a day and boarding himself and finding his own lodging he will take the \$4 a day or the fifty or sixty or seventy-five dollars a month and live in the city. But, conversely, if you will pay the people who live in the cities and work in the factories or work in the stores a dollar and a quarter a day and let them board themselves or give them \$4 a day to go on the farm, they will flock to the farm and not to the city.

Mr. CLAPP. You could not get them to the farm, with the allurements of the city, if you were to drive them there with a bayonet.

Mr. BRISTOW. The Senator is entirely mistaken. He does not understand the American farmer and the American youth.

Mr. CLAPP. I am not speaking of the American farmer. I am speaking of these people who throng the cities. To-day men do not have to walk the highways among the farms looking for work. They are walking the highways in the cities looking for work. If you talk to them and urge them to go on the farms, they will tell you "No; they were not born to be farmers." There is the trouble, and we may just as well face this question. There is something in the thought of people gathering in cities that allures people there. They think the city life is superior. The moving pictures are one thing, the street crowds are another, and so we might go on down the list. They seem to think there is something superior in city life; but, low as farm wages are, the average man working for wages on the farm is doing better with his wages.

You can not solve the economic problem in this country on this basis. I quite agree with the Senator that we do not sufficiently encourage farming. I quite agree with him that the farmer, not being represented here in an organized, concrete force, does not get his share of the legislative pork barrel; but, for all that, we have got to go back of that condition to find the solution of this problem.

Mr. BORAH. Mr. President—

Mr. BRISTOW. Just a minute; I want to reply to my friend from Minnesota, and then I will yield to the Senator from Idaho.

Mr. BORAH. I thought perhaps I could adjust this matter.

Mr. BRISTOW. With due respect to the opinions of my friend from Minnesota, which I always respect, his remarks just made are an actual slander on American character and the American farmer and youth. He does not come to the city to go to the picture shows. He comes to the city because he gets better wages in the city than he does on the farm.

Mr. CLAPP. Mr. President, I can not submit to that suggestion. I am not speaking of the farmer boy. I am speaking of the boys and the men who throng the cities.

Mr. BRISTOW. But why does the farmer's boy leave the farm and go to the city? He leaves the farm and goes to the city because he gets better wages in the city for less labor and can buy more of the comforts and luxuries of life with the wages he gets. The reason why the farmer does not pay better wages than are paid by the street car companies and the corporations and the employers of labor in the city is because he can not sell his product for enough to justify paying more wages.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Is the Senator from Kansas now prepared to yield to the Senator from Idaho?

Mr. BRISTOW. I yield to the Senator from Idaho.

Mr. BORAH. I wanted to make a suggestion which, it seems to me, may have some bearing upon this matter and upon matters which are coming up later.

During the last five years over 500,000 American farmers have left American farms and have gone to acquire lands in Canada. At the same time that has happened we have had tied up in our Western States a territory as large as New England and Maryland and Virginia combined, which has as good soil as ever lay outdoors. When we get around, after a while, to considering the bills dealing with that subject, I hope our farmer friends will bear in mind that it is not only a case of the boy leaving the farm and going to the city, but, under our public-land laws, we are driving the farmer to take oath under another form of government and to claim protection under another flag.

Mr. BRISTOW. Mr. President, as I was proposing to say before I was interrupted, the naked facts are that, with all the sentimental propaganda that is going on, with the slogan of "Back to the farm," the reason why the American boy, with his intelligence and his education, does not continue to farm and follow the vocation of his father is because he can not make as much money, he can not get as good wages on the farm for the same amount of labor. Why, the ordinary farm hand in the United States is working now for from twenty to thirty-five dollars a month, depending upon the locality in which he lives; and what does he do? He is up at 5 o'clock in the morning, and he starts out to feed the stock and attend to what the farmer calls "the chores." By daylight he is out at work in the field. He works until it is dark, and when he has done his farm work and gets in he has put in from 12 to 14 hours a day.

Mr. JAMES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Kentucky?

Mr. BRISTOW. In just a moment. For that he gets less than half what the average laborer gets in the cities for doing half as much work. The American boy with some intelligence concludes that he can get more money for his labor in the city than in the country; and he goes to the city and leaves his poor old father, who has been on the farm all his life, to stay there and hire the best man he can get to take his place.

I now yield to the Senator from Kentucky.

Mr. JAMES. I want to call the attention of the Senator from Kansas to a statement that I understood the Senator from North Dakota to make—that the farm laborers in his State are getting \$3 a day.

Mr. BRISTOW. They get that in harvest time and press seasons; yes.

Mr. JAMES. Apparently the farmer can afford to pay that price.

Mr. BRISTOW. He can not afford to pay it. If the Senator from Kentucky is familiar with the farming regions of his own State and other States, he knows that the American farmer to-day, if you will eliminate the price of wheat because of the unusual condition in Europe now, is not making as much on his wheat as he did years ago. The facts are that until this war broke out in Europe the farmers of the United States were selling their wheat at a loss. The Senator from Nevada has mentioned one product of the farm that is bringing a high price, and that is veal; but the average American laborer does not eat much veal.

Mr. PITTMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Nevada?

Mr. BRISTOW. I do.

Mr. PITTMAN. I will say that he not only does not eat much veal, but he does not eat much meat of any kind, with the present price of meat. But let me ask the Senator one other question. Is the Senator contending that the farmers are not prosperous?

Mr. BRISTOW. I am contending that the farmer is not making as much money, outside of the increased price due to this

war, as he made years ago, and that farm products are now a drug on the American market.

Mr. PITTMAN. I should like the opinion of the Senator as to whether or not the farmers are prosperous at this time.

Mr. BRISTOW. Why, they are in certain sections of the country; yes.

Mr. PITTMAN. Are they prosperous in Virginia?

Mr. BRISTOW. Not very; no. They are very prosperous in Kansas.

Mr. PITTMAN. They are prosperous in Kansas?

Mr. BRISTOW. Yes.

Mr. PITTMAN. The reason why I asked the Senator if they were prosperous in Virginia was that I was informed there had been a number of farms purchased in Virginia recently.

Mr. BRISTOW. Probably there have been. I do not know.

Mr. PITTMAN. And I had an idea that probably that was true. But the farmers are prosperous in Kansas?

Mr. BRISTOW. Yes.

Mr. PITTMAN. If the farmers are prosperous in Kansas, are they not able to pay good wages to their laborers?

Mr. BRISTOW. The farmers are prosperous in Kansas since this war broke out and the price of wheat went up 40 cents a bushel. Until the war broke out they were selling their wheat for 60 cents, which was less than cost. The Senator can not mention a single farm product that sells for an excessive price when it leaves the farm. I will say that veal sells for an abnormally high price for some reason, due to the fastidious tastes of certain American people, but the great majority of the products of the farm are not bringing an excessive price as they leave the farm. They are down in the market. They are a drug upon the market. The farmers outside of the wheat-growing region, where there is an excessive price for wheat now, caused by the European war, are selling their stock, from the poultry to the fat steer, at a reduced price and a lower price than they have been able to get for them for years.

Mr. PITTMAN. Beef, mutton, pork, hay, grain, hides, and wool were higher in 1913 and 1914, before the war commenced, than they were in 1911 or 1912. Is it not a fact that the buying of good agricultural land at the present time is recognized as a good investment?

Mr. BRISTOW. It is not.

Mr. PITTMAN. It is not?

Mr. BRISTOW. No, sir; and if the Senator is informed, he knows that agricultural lands are now a drug on the market.

Mr. PITTMAN. When and where did that happen? It certainly is not true in our State.

Mr. BRISTOW. It has been happening ever since the present Democratic administration came in. [Laughter.]

Mr. PITTMAN. Why, the farming industry prior to the war was so active that even some of our Senators were called back to the farm. Does not the Senator know that a great many persons have been purchasing farm lands in the last year? As a matter of fact, 10,000,000 acres of land were patented up as homesteads in this country during the last year. Does not that indicate that the farming industry is a prosperous one?

I know Senators right in this body who, within a very short time, have purchased farms throughout this country. Probably the fact has come to the attention of the Senator himself that they have been purchasing farms throughout this country. Is it not a fact that the records of the manufacturing industries show that the farmers all over this country to-day are indulging in the luxury known as the automobile? Is it not a fact that the great financial institutions of this country are to-day reporting greater prosperity among the farmers than among any other character of people in this country, and was not that so prior to the European war? I know it was so in my State.

I do not think the Senator will deny that that is the situation; but he says the young men are leaving the farm for the city. Probably that is true. The Senator from Minnesota has given very fairly the probable reason for that. If the young men who are raised on the farm prefer to enter other kinds of business pursuits, then does it not become necessary, if we want our lands cultivated, to hunt up those farmers who do want to farm? That condition exists. The young men who are raised on the farms will not do as their fathers did—buy land near home and start farming. They go to the cities. It makes no difference why they go to the cities; they do not follow the agricultural pursuits of their fathers.

What we are faced with is this problem: We have good land to produce products for this country. We want it to produce, because the country needs those products. We can not get the sons of our farmers, as the Senator says, to take up those lands. Now, we simply invite an intelligent, high-class agricultural people, who are driven out of their own country by war, to come



over here and help cultivate our land, increase its productivity, add to the wealth of our country, and relieve our people from the burden of an insufficient supply of foodstuffs. That is all we are asking.

Mr. BRISTOW. I live in a part of the country where a great many immigrants have come from Europe in the years that have passed and settled upon farms. They were farmers and they made good citizens, and, being of German and Norwegian birth, they are frugal and prosperous as a rule, and their children adapt themselves to American institutions and American habits. They belong to that race which has developed and made our country what it is, coming from that section of Europe from which most of our ancestors came. Their children, as soon as they are educated and as soon as they arrive at the age of maturity and begin to do for themselves, follow the same example that the American boy follows—he whose ancestors and parents have been in this country for a longer period—they go to the cities, where they get better wages and where life is easier.

It is a false economic proposition to say that you can bring men who know nothing about an American farm and put them on the farm and conclude that because they are farmers they are going to farm. To get men to farm you have got to make farming attractive to the American people.

The bone and sinew of American life is in the agricultural class. Indeed, I do not believe a republican form of government can exist unless the rank and file of the population of the country is an agricultural population. They are the most conservative, they are the most intelligent, as a rule, in exercising the duties of citizenship; and when you substitute for the American farmer a foreign population similar to that which now congests our industrial centers you have done an irreparable injury to American citizenship. Indeed, in my opinion, it would be fatal to the institutions of our country if the real character of the American farmer were changed, and when by legislation it is proposed to break down still further the agricultural interests of our country by throwing it wide open, not only competing in the markets of the world and the markets of his own country with the products of every other country on earth, without any protective-tariff duties such as has the manufacturing products. You now make the American farmer compete in the markets of his own country and the world with every other farmer on earth. Not satisfied with that, it is proposed to invite the foreign farmers to come here and sit down side by side with the American farmer and in time put him out of business by competition even more severe than he is now compelled to meet in the markets of his own country by foreign farmers. These foreign farmers will bring with them the standard of living of the foreign peasant.

Such legislation as is proposed in this amendment is an injury and an outrage to the American agricultural interests of the country. We say we want farm hands. The way to get farm hands is to pay them better wages; and you can not pay them better wages unless the farmer can get more for the products of his farm than he gets to-day.

Mr. DILLINGHAM. Mr. President—

Mr. BRISTOW. I yield to the Senator from Vermont.

Mr. DILLINGHAM. I should like to inquire of the Senator from Kansas what is the rate of farm wages in Kansas?

Mr. BRISTOW. It ranges from \$25 to \$35 a month.

Mr. DILLINGHAM. Does that include board?

Mr. BRISTOW. In some instances, it does; in others, it does not.

Mr. DILLINGHAM. I mean generally speaking.

Mr. BRISTOW. Generally speaking the wages would be \$25 or \$30 a month.

Mr. DILLINGHAM. What would the Senator estimate that would amount to per month, everything included?

Mr. BRISTOW. I should think \$40 to \$45; but wages in Kansas are much higher than in many other sections.

Mr. DILLINGHAM. Will the Senator permit me to make a statement?

Mr. BRISTOW. Certainly.

Mr. DILLINGHAM. I think the most discouraging feature of modern immigration has been the fact that while probably 90 per cent of the 15,000,000 immigrants who have come to this country in the last few years are either common or farm laborers, it has been an impossibility to get them to go to the rural communities and take positions upon farms. In the investigation which the commission made in the industries of this country they picked out certain races to see what they were getting. I find that of the Polish, Slovak, South Italian, North Italian, Hungarians, Lithuanians, Croatians, Greeks, Ruthenians, and Bulgarians, the average that they received yearly was \$391.90,

which is less than the farm laborer is getting, according to the statement of the Senator from Kansas.

I have been convinced from my investigation of this subject that it would be decidedly better for the men who have always lived in agricultural regions and done agricultural labor if, when they come to this country, they would go to the agricultural communities and take employment on the farm, where they could live comfortably and where they would be vastly better off financially and in physical comfort and in advantages generally, than to go to the cities.

But I find with our view of distribution, with every effort we have made under the law, with all the encouragement that has been given by States to invite them to do so, it has been absolutely impossible to encourage immigrant laborers to the rural communities. Where we have in some instances secured men to go on farms and work, they would work for a single season, then they would become lonesome. They want the companionship of their own race, and they go to some central locality where the people of that race live and enjoy the same language and enjoy the same methods of living, and where, briefly stated, they can find those things that are more agreeable to them.

It is a deplorable fact that they all go to the cities. All experience shows that where the first colony of a particular race goes there all the rest go. They follow them as sheep follow a bellwether. Take the whole history of immigration and you will find that that is the fact.

With the growth of our manufactures more of this modern immigration came from eastern and southern Europe, and where the first colonies from south Italy, or from any of the Balkan States, Russia, or Austria-Hungary went, those from the same neighborhood have gone to the same place, and they have followed it right along year after year, and it has been almost impossible to turn them.

I was interested to test that matter. I found by having a record kept in Ellis Island for a whole year that more than 80 per cent of all the immigrants who came in during that year had in their possession when they landed railroad tickets taking them from New York to the point of their destination in the United States. They had been in correspondence with their brothers, their cousins, their relatives in this country, and they were going where their brothers or other relatives had gone. In 80 per cent of the cases they reported the fact that they were going to join friends. It has seemed utterly impossible to turn them. I think a large proportion of them had been agricultural laborers, but it was utterly impossible to induce them to go into country districts and become segregated one from another and work among the farmers. That is a discouraging problem. I do not know how we are ever going to bring it about.

I think the wages paid in Kansas to-day to the laboring men are altogether better than the wages paid to the men I have mentioned, where they are working in the basic industries of the country. I do not think there is the slightest danger of their going into the States and competing with agricultural labor or reducing their products.

But I am opposed to this amendment. I agree with the Senator from Kansas. I do not believe that we ought in any way to break down the contract-labor law at the present time, as is provided.

Then, too, what does the amendment mean? It says "contract labor, or induced or assisted immigration, shall not apply to agricultural immigrants." What does that mean? It does not mean farm owners. The broad application of it would be farm laborers, so that they may come in very freely.

Mr. McCUMBER. That is not the end of the sentence. If the Senator will read the whole of it, he will see that it is those who are agriculturists who come here for a certain purpose, not to work as agricultural laborers. If the Senator will read it through, he will see that that is what it does.

Mr. DILLINGHAM. Those "who come to the United States during the course of the present European war or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to purchase 'or take up' land in the United States and become American citizens." Come prepared to do that? How are we going to determine that question?

Mr. CLAPP. The word "purchase," I understand, has been adopted.

Mr. DILLINGHAM. Instead of "take up"?

Mr. CLAPP. I made a notation of a motion to reconsider that language which has already been adopted by the Senate.

Mr. DILLINGHAM. I can see no use for this amendment. I quite agree with the Senator from Kansas, although I base

my opinion upon reasons perhaps different from those which seem important to him.

Mr. BRISTOW. If the Senator from Vermont will pardon me for breaking into his statement, I think the reasons for the condition which the Senator describes as to the destination of the immigrant that he answers the question himself. It is an element of human nature, I think, that men like to associate with those of common origin and common language and common views. We are a social animal and we must mingle with each other. It is perfectly natural that the foreigner coming to this country, a strange country, among strange people, should want to get among his own countrymen.

Mr. DILLINGHAM. That is true; they follow the racial instinct.

Mr. BRISTOW. It is impossible for him to have that social relation in the farming regions of our country that he has in the densely populated region in Europe from which he comes, because our conditions are so different. So he will not go on an American farm as a farm laborer. He might go for a little while, but he will get lonesome and go to the city.

Mr. DILLINGHAM. If the Senator will permit me, he will not go there as the purchaser of a farm. The great bulk of these men have been common laborers in countries where it was impossible for them to purchase the soil. They have not the instinct of purchase or of independent action, becoming factors as managers of farms. They are simply common farm laborers working for a small per diem. I do not think the particular immigration I speak of come to this country with the thought of becoming possessors of farms. I called attention the other day in speaking on the subject to the fact that during the last 10 years we received about 5,000,000 immigrants from Russia and Austria-Hungary, and yet the census of 1910 shows that of those classes less than 1 per cent were found to be managers of farms or tenants. It shows that they will not come here with the purpose of acquiring farms. They have not been educated to the ownership of farms. They have not the instinct of ownership or of securing ownership. So they go, as the Senator has said, where they can live in colonies under circumstances agreeable to them and get a rate of wages that is infinitely above what they are getting at home. That is about the statement upon which I based my idea as to the causes of the movement of immigration.

Mr. BRISTOW. The foreigners whom the Senator has been describing came to this country because they thought they could better their conditions, and they go to these centers where they can be with their own people and where they can get employment.

Mr. DILLINGHAM. If the Senator please, they do just what they have done all their lifetime, work for wages.

Mr. BRISTOW. They work for wages and get enough to live on comfortably.

Mr. DILLINGHAM. And be employed.

Mr. BRISTOW. But this discussion has proceeded upon the theory that it is necessary to get into this country some producing classes that will bring down the cost of living.

The Senator from Nevada [Mr. PITTMAN] laid great emphasis upon the promises of the Democratic Party to reduce the cost of living, and he offers as an argument this amendment, by which means the price of farm products may be reduced.

If the Senator will give his attention to the real evils that result in the high cost of living, he will look some place else than at the American farm. I remember, when my family left home this fall, a remark I heard made was that the price of eggs was 21 cents a dozen at home. When they arrived in Washington, a distance of some 1,200 or 1,300 miles, the price ran from 50 cents to 55 cents a dozen. Why this difference? That represents the toll which is exacted between the farmer and the consumer. That is the way the high cost of living comes in. It is not because of the high price the farmer gets for his products. I remember, as every Senator here who has reached the half-century mark remembers, when wheat was \$2 a bushel. Before this war began wheat west of the Mississippi River averaged about 60 cents.

The price of living is not due to what the farmer gets for his product. If the farmer in America to-day had to pay the same wages for labor that are paid in the cities, there is not a farmer who would not go bankrupt in a year; he could not run his farm. He has got to work day by day with his own hands from 12 to 14 hours a day, and if by reason of superior intelligence or excessive industry and hardship, which he voluntarily undergoes, and the most frugal living, at the end of 20 or 25 years he is able to buy a cheap automobile, then he is held up to the American people by Members of the United States Senate as a plutocrat who deserves to be injured by importing foreigners to compete with him in his line of business.

As I said before, you not only throw down every bar that would protect the price of his products from foreign competition, but you now propose to undertake to further reduce the price of his products by opening wide the gates and permit all kinds of labor that will compete direct with him to come in. But you bar out the laborers that would compete with the labor of the manufacturing or industrial centers.

I know that the American farmers are not organized into a concrete organization to have representatives in the National Capital who can go to committee rooms of Senators and make certain demands and, if those demands are not met, enforce them by votes cast in mass at the polls. The farmer is an independent, hard-working citizen, the bone and sinew of American life, who has been the butt of legislation by special interests from the beginning, and it seems never too late for the American Congress to go directly after him in any effort they make to reduce the cost of living. They try to reduce the price of what he produces, but do not attack the influences and the combinations that exploit him and multiply the price of his product after it leaves the farm. That is the spirit which permeates and controls in the legislation that is now proposed, and I denounce it as unjust.

Mr. CRAWFORD. Mr. President, I desire to offer an amendment to the amendment by striking out of line 8 the words "prepared to take up land in the United States," or, as I think it now reads, "to purchase land in the United States," and insert "with intent to engage in the work of agriculture," so that it will read:

That said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

The PRESIDENT pro tempore. The Senator will please send his amendment to the desk, and the Secretary will state it to the Senate.

The SECRETARY. After the word "come," in line 8, strike out the words "prepared to purchase land" and insert "with intent to engage in the work of agriculture," so as to read:

If it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

Mr. CRAWFORD. Mr. President, it seems to me that this amendment, as proposed by the Senator from Massachusetts [Mr. LODGE], does not mean what is desired by those who would like to see these Belgian immigrants get out on our farms as farm laborers or even as farm purchasers, because to say that they must come prepared to purchase farms does not even necessarily imply that they will use the money for any such purpose. As I construe the amendment as proposed, it gives ground for a suggestion that some organization, perhaps in the East, will furnish the funds, and without being subject to the prohibitions of the contract-labor clauses of the law, they will get these people over here and have them under contract labor; and where they may go and what they may do after they arrive here will be a matter of conjecture.

I am not anxious to serve any such purpose as that; but I can say, so far as all my observation in the West and in the agricultural regions is concerned—and I have spent all my life there—that the one great and serious problem everywhere in the northern part of the Mississippi Valley region is to secure farm labor. I know well-to-do men, prosperous farmers, who are past middle age, who are working like slaves, because it is absolutely necessary for them to do so in order to have their fields cultivated, because they can not get labor out there. Take the poor Belgian, stripped of everything in the world but good health and strong arms and horny hands, and if we could get him out into my State on the farm, working for some man like the men I have mentioned, it would be a blessing both to the farmer and to the Belgian immigrant.

I do not believe such immigrant ought to be excluded because he does not show that he has sufficient cash in his pocket or on deposit in the bank which will enable him on his arrival to purchase a farm. I believe, considering the conditions in Belgium, which we want to alleviate, and the condition of our western farms, where labor is so sorely needed, and considering the character of the immigrants, who have made a paradise in their own country in the cultivation of the soil, that we ought to give them an opportunity as farm laborers, although they may have nothing, although neighbors or associations of farmers out there may have to send their transportation to them so as to have them come to this country and to go out and engage in farm labor without being purchasers of farms.

Mr. LODGE. Mr. President, will the Senator from South Dakota allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Massachusetts?

Mr. CRAWFORD. Certainly.



Mr. LODGE. I wish to understand the Senator's proposed amendment. Is it to take out the words "contract labor"?

Mr. CRAWFORD. I have not put those words into the amendment which I have offered.

Mr. LODGE. I see the Senator has struck them out.

Mr. CRAWFORD. I have not done so in the amendment which is now before the Senate.

Mr. LODGE. But the Senator has not yet offered the amendment?

Mr. CRAWFORD. No; I was going to offer the amendment as another matter entirely, to strike out those words unless the Senator from Massachusetts can give me some satisfactory reason why they should remain in the amendment.

But the point which my proposed amendment to the Senator's amendment reaches, and the only point it reaches, is that the Commissioner of Immigration, or whatever the name of the officer may be, shall be satisfied upon inquiry that the Belgian immigrant comes with the intent to engage in the work of agriculture; whether as a farm hand or as a farm purchaser is not the material thing.

Mr. LODGE. I agree with the Senator from South Dakota about that; his amendment enlarges and liberalizes it; and, so far as I am concerned, I am very glad to modify my amendment by adopting the Senator's language in reference to engaging in farm labor, instead of being prepared to purchase land. I think it is better.

The PRESIDENT pro tempore. The Senator from Massachusetts accepts the amendment suggested by the Senator from South Dakota, and it now constitutes a part of the pending amendment.

Mr. LODGE. I also desire to modify my amendment by striking out the words "contract labor."

Mr. CRAWFORD. I was going to propose that as another amendment. I did not want to have one involve the other.

The PRESIDENT pro tempore. The question is on the amendment as modified.

Mr. CLAPP. Mr. President, I desire to offer another amendment before the vote is taken on this amendment. I confess that in the almost 14 years during which I have been here I have seldom referred to sections of the country or to different classes of occupations. Unless a measure can be justified upon some principle, I do not think it should be incorporated in legislation at all. One day we spend our money like water in this country employing commissions on the part of States to induce people to come into those States to take up farms and go to farming. The next day we are told that it will not do in an act of Congress to permit farmers to come here, because it will bring a great many additional farmers in competition with our farmers who are here. Somewhere in the world-wide equation we have got to meet in competition all of humanity.

It is true that in one sense the Belgians have suffered more in the controversy in Europe than have any other people; but there are thousands of people in Europe who are the unfortunate victims of the war, over which they have no control, for they do not yet seem to have grown to that point where they can turn their arms against tyranny. In consequence they are now turning them against one another, and they have no control over this awful war; they are being destroyed, so far as property goes, by the war; they are being rendered homeless by the war. I can not understand, Mr. President, why we should single out a particular class of people, a particular nationality or race in this theater of destruction in Europe.

This amendment proceeds upon the theory—and there can only be one theory in the mind of the author of the amendment—that we are letting down what has been insisted upon here as a test of immigration, the illiteracy test; we are letting it down as a favor, out of sympathy to those who are unusually distressed under war conditions. So far as the Belgian is concerned, by the literacy test those who are qualified can come in under the present terms of the law; but this takes down the bar of illiteracy as to the Belgians upon the ground that those people have become the subjects of our sympathy and of the asylum principle of our immigration laws. I understand, Mr. President, that the contract-labor provision has gone out, and that the provision requiring purchase of land has also gone out?

The PRESIDENT pro tempore. The Senator from Minnesota is right about that.

Mr. CLAPP. The insertion of the provision requiring the purchase of land shows how nearly the Senate comes at times to violating fundamental principles. We have a measure here designed to reach an afflicted people, and yet for a while it was the solemn decision of the Senate that it should apply only to that class of Belgians who did have something, who were able to come here and establish with the means of purchase at their command new homes upon our soil. Fortunately that provision

has gone out. We still have this narrow thought, beginning in this amendment, that it shall be limited only to the people of Belgium. If there is any reason on earth why we should take down the literacy test as to the Belgians, the same reason applies to any other of the people who are distressed by the awful war in Europe.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. CLAPP. With pleasure.

Mr. CUMMINS. I rise purely for information, not to antagonize the argument that is now being made by the Senator from Minnesota. This amendment, as it has finally been reduced, is limited to the exemption of the Belgians from the literacy test of the proposed statute.

Mr. CLAPP. And the "assisted-immigration" provision.

Mr. CUMMINS. What is the proportion of illiteracy among the Belgians? I am inquiring as to that because I want to know how many people this provision would let in who could not come in under the law as it is now proposed in the bill of the committee.

Mr. CLAPP. I presume the number is very slight indeed; but the amendment is a recognition that there are people in Belgium who can not pass the necessary literacy test, to whom, on account of their distressed condition, we should open the door, provided they come here proclaiming their purpose to be farmers.

Mr. CUMMINS. In order to prepare the way for another question, I should like to ask the chairman of the committee what is the proportion of illiteracy amongst the Belgians? [A pause.] The chairman of the committee seems to be absorbed in some weightier subject, and I will ask the Senator from Massachusetts or the Senator from Vermont.

Mr. LODGE. It is very low, but I can not lay my hand now on the figures.

Mr. DILLINGHAM. I have not those figures in my notes, but it is very low, indeed—among the lowest in all of Europe.

Mr. SMITH of South Carolina. Mr. President, I beg the Senator's pardon; I was not giving close attention at the time; but the percentage of illiteracy amongst the Belgians, according to the latest figures we have, is 12.7.

Mr. LODGE. It is very low.

Mr. CUMMINS. Twelve per cent; so that of a thousand Belgians who might come in here there would be something like 120 who might be unable to read or write. It therefore appears that we are trying to make this exception to the general rule to accommodate and relieve that very small number of people who might come in from Belgium. I only rose to indicate that, in my opinion, the controversy is a tempest in a teapot.

Mr. CLAPP. Mr. President, I quite agree that, like many other matters, it is a tempest in a teapot. We get far afield here; we raise false and imaginary issues; we have stirred up the country on the literacy test; but I do not believe that as yet one person in a hundred throughout this country knows that we have taken from the literacy test the exemption which recognizes the asylum principle in our immigration laws. But that does not alter the case. If we should extend now this favor to illiterate Belgians because illiterate Belgians have without their fault been placed in a terrible condition we should recognize that same principle as to all other nations during the continuance of the present European war, because of circumstances or conditions growing out of the war. The Pole, whose land to-day is likewise being war swept by this awful war, also needs our sympathy, if we are going to indulge in sympathy, just as much as does the Belgian. The people of the other countries and sections which are liable before this storm is over to be devastated just as badly as has been the country which we call Belgium are entitled to the same consideration. What I am trying to urge is that we get away from the eternal talk of this section or that section, this class or that class, and deal with general principles in legislation.

Mr. CUMMINS. Mr. President, may I say to the Senator from Minnesota, lest he may have misunderstood me—

Mr. CLAPP. No; I did not misunderstand the Senator.

Mr. CUMMINS. That that was my very purpose in rising. To accommodate or convenience a very few unfortunate Belgians, it seems to me that we are about to wreck a general principle.

Mr. CLAPP. The point that I was discussing was not deflected by the suggestion of the Senator; I was dealing with the general proposition.

Mr. JONES and Mr. O'GORMAN addressed the Chair.

Mr. CLAPP. I yield a moment to the Senator from Washington.

Mr. JONES. I wish to suggest to the Senator from Iowa and to the Senator from Minnesota that the amendment as it now stands is still further limited to agricultural Belgians, and not to Belgians generally.

Mr. CUMMINS. Yes; I intended to remark something upon that. I think the provision is utterly unworkable and impracticable. No human being can determine what an "agricultural immigrant" is.

Mr. TOWNSEND. Or how long he will remain an agricultural immigrant.

Mr. CUMMINS. I assume that that is meant to describe a former condition; that is, a condition in the country from which he comes. Will you say that a boy who has worked three months or six months on a farm at some time in his life is an agricultural immigrant? It is to me absurd, and can never be put into operation.

Mr. O'GORMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from New York?

Mr. CLAPP. With pleasure.

Mr. O'GORMAN. I do not desire to intrude any remarks regarding the pending amendment further than to correct a statement inadvertently made a moment ago, that the percentage of illiteracy in Belgium is 12. The fact is, according to latest statistics, that the percentage is 8.5.

Mr. CLAPP. Still less, then.

Mr. SMITH of South Carolina. Mr. President, I have before me from the department a table bringing the averages up to the end of the fiscal year 1913. That table gives the illiteracy in the country of origin, and of the population of Belgium over 10 years of age it is 12.7 per cent. Those figures, as I understand, were obtained through the Bureau of Immigration here in Washington.

Mr. O'GORMAN. My authority for the statement I have just made is the World Almanac and Encyclopedia for 1914, a publication which is generally regarded as accurate and trustworthy. In that book it is stated that the percentage of illiteracy is 8.5.

Mr. CLAPP. Mr. President, be that as it may—

Mr. BRISTOW. Will the Senator yield for a moment?

Mr. CLAPP. With pleasure.

Mr. BRISTOW. May I inquire if there is not a difference in the basis of the computation as between the Senator from New York and the Senator from South Carolina? Was not the Senator from South Carolina speaking of the Belgians who came to the United States and was not the Senator from New York referring to the Belgians as they live at home?

Mr. SMITH of South Carolina. The table gives the figures for illiteracy in country of origin; it gives the population over 10 years of age; gives those countries in which there is compulsory education; gives the percentage of illiteracy by the countries from which immigrants come; and in Belgium the percentage of illiteracy is given as in the country of origin at 12.7. The basis of calculation is population over 10 years of age; that is all I know.

Mr. CLAPP. Mr. President, the fact remains that we are holding out here a favor born of sympathy. We are reaching a hand out through the literacy test and extending it only to the people of Belgium. Of course, I can understand how the people of that country have aroused the interest of the world; but the people of Belgium are situated, so far as their homes may be destroyed, their property destroyed, and their families broken up, just as the people of other parts of the war zone of Europe are situated. We extend the asylum principle through the wall of the illiteracy test to the unfortunate in one land. I believe we should extend it to the unfortunate in others. For that reason, Mr. President, I move as an amendment in lines 3 and 4 to strike out the words "from Belgium," in line 5 to strike out the word "or," and in line 8 to strike out the word "Belgium," so that it will read:

Immigrants who come to the United States during the course of the present European war owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said immigrants come—

Under the amendment recently adopted—

declaring their purpose to become farmers.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Minnesota.

Mr. REED. Mr. President, the amendment offered by the Senator from Minnesota is an improvement, I think, on the original amendment; but for the life of me I can not understand why the benefits of this amendment should be extended only to farmers or farm laborers, which is now proposed. I do not understand why it should be limited to Belgians. I am going to vote for it, in whatever way it is necessary to vote for it, because it is an enlargement, a broadening of this bill; but

what the Senator from Minnesota has said in regard to the condition of these people is absolutely correct.

There is a difference between the Belgian Government's situation and the German Government's situation and the English Government's situation. There is a different issue presented there, but it is an issue between Governments. The Belgian Government insists that it was in a condition of absolute neutrality and that without having raised its finger its territory was invaded, and that is true; but, Mr. President, when you go beneath that mere technicality this is what you find: The German Government states: "We invaded Belgium because our own country was about to be invaded." The French Government states: "Our country was invaded." The Frenchman says: "My country was invaded and my home was destroyed," just as the Belgian citizen makes the same statement.

Now, this is a bill for the relief not of Governments but of people. The Frenchman's home having been destroyed, he is in just as helpless a condition as the Belgian whose home has been destroyed. The French individual had no more to do with bringing on this war than the Belgian individual had to do with it. Neither did the individuals of either of those nationalities have any more or any less to do with bringing on the war than the German citizen. He had nothing to say about it. His Government began a war, and if his home is destroyed and if it is therefore necessary for him to find harbor elsewhere, he should have the same privilege.

What was said by the Senator from New Jersey in regard to Alsace-Lorraine is equally true. What did the people of that country have to do with saying whether or not there should be war? If we are to extend hospitality and charity to the individual, it ought to reach all individuals similarly situated, regardless of the technicalities which spring out of the relations of the government or which particular Government first struck a blow. Moreover, if we are to have regard to the humanity of it, let us see how that will work out for a moment.

The Belgian finds his country taken away from him. The touching and eloquent words of the Senator from New York [Mr. Root] found a response in my heart, as they do in the heart of every man who thinks rightly and feels rightly. The Belgian's home was taken away. He was without fault, and, mayhap, he can never return to that home in safety. But if you turn to Alsace-Lorraine you will find there a condition where the farmer's fields have been destroyed; his home has been burned; his condition is equally pitiable. He is equally without offense, and, mayhap, when this war is over, he will find it unsafe to return to his home, as does the Belgian. If Germany shall succeed in holding that country, how many of the Alsations will be brought to trial and possibly to severe punishment? On the other hand, if France shall hold that country, how will she deal with certain citizens, particularly of German birth, who may have been inhabitants of that country and who may have warred against her?

I do not know; I do not undertake to say; but I do know that war is a very cruel thing. I do know that when the passions of men are aroused revenges are likely to be taken. I need not call the attention of men from the Southland, who passed through the reconstruction period, to the truth of that statement.

So all these people, as peoples, are without fault. Each of the Governments claim that it is without fault. The people, at least, are without fault. They never voted a war. They never brought on a war. When the war is over somebody is going to suffer, and somebody is suffering now.

We find ourselves called upon to aid and assist. Millions of dollars have been sent from this country to assist the people on the other side. We are about to pass a bill that prohibits assisting immigrants to come to these shores; that prohibits the immigration of men because they can not read and write. The proposition contained in the amendment of the Senator from Massachusetts is that we shall except the Belgian from the literacy test and from the assistance clause. I say that it ought to be extended also to the Alsatian, who is just as good a citizen as the Belgian, in my opinion; and possibly to the German, for Germany may find her fields are overrun before this war is over. Why not to all of these people?

Mr. President, I am not acquainted with the parliamentary situation; but I propose to offer the amendment I am about to read, and if it is not now in order I shall offer it when the proper parliamentary situation presents itself. I want to ask the Senators' attention to it carefully, because I believe it meets all these objections, and I do not believe it is objectionable on the ground that it will permit a general influx of foreigners. It is as follows:

The provisions of this bill relating to illiteracy or assisted immigrants—



Not contract laborers; now—

shall not apply to immigrants who come to the United States during or within one year after the close of the present European war, owing to circumstances or conditions arising from the war: *Provided*—

Here is the safeguard—

The Commissioner General of Immigration shall find as a fact that the immigrant is otherwise qualified—

That is, that he has the health, the condition of mind and body and character required by the bill—

and that he is attached to our institutions, intends to become a citizen of the United States, and that the immigrant will not become a public charge.

The PRESIDENT pro tempore. The Chair will state to the Senator from Missouri that the amendment is in order.

Mr. REED. I thank the Chair. Now, that does not indiscriminately admit them. It does not give them the privilege of coming as of right. They must convince the Commissioner General of Immigration that they are coming here well intentioned to our Government; that they are not going to be public charges; that they are sound in body and sound in mind and sound in morals; but it gives him the privilege of permitting them to come, provided they can show all of these things, and that they will not become public charges. In a word, it permits societies, organizations, and individuals to send over to those countries to furnish the means to bring those peoples here and to provide temporary assistance for them when they are here, either upon farms or in any other place, and provides that when those facts are shown the Commissioner General of Immigration can allow these people to come in. He can very easily stop any attempt to break down the protection of our immigration law, because it is vested in his discretion.

Mr. President, I think that opens the door to all alike, and yet I do not think it opens the door wide enough to flood this country with undesirables. I offer that amendment.

Mr. LODGE. If the Senator will allow me, I have no objection to the proviso in his amendment. It is needless, however, because the provisions to which the exception is made are named. If he wants to make sure that the other provisions which are named in his proviso are retained, he only has to add, after the word "immigrant," the words "otherwise eligible."

Mr. REED. That is already in the amendment.

Mr. LODGE. "Otherwise eligible"? Well, that covers everything. There is no need of the proviso, then.

Mr. REED. No, Mr. President; the proviso does have an important effect. Let me read it:

*Provided*, The Commissioner General of Immigration shall find as a fact that the immigrant is otherwise qualified and that he is attached to our institutions, intends to become a citizen of the United States—

That is new, is it not?

Mr. LODGE. That is new; yes.

Mr. REED (reading):

And that the immigrant will not become a public charge.

That also is new.

Mr. LODGE. Oh, no; "otherwise eligible" will cover that.

Mr. REED. Well, "otherwise eligible." Under the law as it stands, and without this amendment, the immigrant who has a certain amount of money can come here. There are no questions asked. It is presumed that he is self-sustaining. This requires an affirmative finding. There is that distinction. There is the further distinction that under the law as it is framed in this bill an immigrant would be held to be not self-sustaining, possibly, who might be permitted to come in under this measure.

To illustrate, suppose an immigrant were to come here destitute—without any money. He would be turned back as a pauper under our present law, but under this bill if the Commissioner General of Immigration should find that a society or organization was going to receive him, going to provide him with work, or going to put him on one of these farms that the Senator said some society contemplated arranging for, then the Commissioner General of Immigration would be warranted in finding that the man would not become a public charge.

So I think there is a very considerable difference between this amendment and the other one.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. The Senator from Missouri will please send the amendment to the desk, and the Secretary will state it to the Senate.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. Let the Secretary state the amendment.

Mr. CUMMINS. I rise to ask the Senator from Missouri a question, not to debate his amendment.

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Iowa?

Mr. REED. I do.

Mr. CUMMINS. Does the Senator from Missouri understand that his amendment would except these immigrants from the operation of section 6 as a whole?

Mr. REED. No; I do not understand that it would. I did not intend that it should. I meant that it should cover just what is stated—that is, the assistance of an immigrant. It would permit the assistance of an immigrant coming under these conditions. He would not be turned back because he had been assisted, and he would not be turned back merely because he was illiterate.

Mr. LODGE. Of course, if the Senator's amendment has the words "otherwise eligible," that covers section 6 and all the sections.

The PRESIDENT pro tempore. Let the Secretary state the amendment to the Senate; then Senators will better understand how it applies. The Secretary will read it.

The SECRETARY. The Senator from Missouri proposes, in the nature of a substitute for the amendment offered, the following:

The provisions of this bill relating to illiteracy or assisted immigrants shall not apply to immigrants who come to the United States during or within one year after the close of the present European war owing to circumstances or conditions arising from the war: *Provided*, That the Commissioner General of Immigration shall find as a fact that the immigrant is otherwise qualified, and that he is attached to our institutions, intends to become a citizen of the United States, and that the immigrant will not become a public charge.

Mr. GALLINGER. Mr. President, I will ask the Senator from Missouri just what process will be used to determine whether an immigrant is or is not attached to our institutions. We all remember the old story about the man who landed on our shores, and they asked him his politics, and he said he was "agin the Government." Now, just how we are going to find out whether or not a man who comes here from Belgium or Poland, or any other part of the civilized or uncivilized world, is attached to our institutions is beyond my comprehension.

Mr. CLAPP. It is done every day.

Mr. REED. May I answer the Senator?

Mr. GALLINGER. Yes; I should like to have my question answered.

Mr. REED. It is the question that is ordinarily put in every court when an alien is seeking naturalization; it is the usual legal phraseology; and it means to call for the ascertainment of the question of fact whether or not the individual comes here well disposed toward the Government.

Mr. GALLINGER. But that question is not put to all the other immigrants who come in.

Mr. REED. I understand.

Mr. GALLINGER. The Senator cites the case of a man who goes before a court to be naturalized. After he has been a resident of the United States presumably for four or five years he might well have some knowledge of our institutions; but how these ignorant people coming from abroad—and many of them, in fact most of them, are ignorant of our system of government—can answer that question intelligently, or why they should be asked to answer it, I do not quite understand. Of course, however, I care nothing about it. I am going to vote against all of these propositions to open the doors to the people whose situation has been discussed this afternoon. Unfortunately, I was detained in the Committee on Appropriations and have not heard the debate, but I have a general idea of the ground it has covered. Inasmuch as I am going to vote against all amendments and against the proposition itself, of course I am not very much concerned about this; and yet it does strike me as being rather an extraordinary condition to impose upon these immigrants, if they are to be admitted at all.

Mr. REED. Mr. President, the amendment which the Senator from Massachusetts introduced contained a provision to the effect that they intended to become citizens of the United States. Of course they could not become citizens of the United States unless they were well disposed toward this country. They would have to show that to a court, and that is involved necessarily in the proposition contained as the Senator from Massachusetts drew it. In writing the amendment I simply included that phraseology. It is not difficult however to understand or to apply. The Commissioner General of Immigration being confronted with the fact that a thousand refugees were coming here, let us say, from Belgium, and that they were being assisted by some society of kindly disposed people, and, therefore, that they would be barred under the general provisions of the immigration bill, would have to make it his business, through himself or his agents, to inquire where these people came from, what kind of people they were, are they criminals or are they anarchists, do they believe in government, are they coming here to be good, law-abiding citizens? He would satisfy himself in

that way, and he would satisfy himself whether they intended to come permanently and to become citizens, and having satisfied himself he would waive the literacy test.

Now, the Senator from New Hampshire [Mr. GALLINGER] would say to the man who could not read or write, "No matter how sound you are in body, no matter how you are in mind, no matter how much patriotism there may be in your heart, no matter though you have stood and fought for your home and fireside and wife and children, no matter though you have gone into the red jaws of death, I will send you back because you can not read and write." The Senator from New Hampshire would not do any such thing if it was put to him as an individual proposition, because he is too kind-hearted a man.

The PRESIDENT pro tempore. The question is on the adoption of the substitute offered by the Senator from Missouri [Mr. REED] to the amendment of the Senator from Minnesota [Mr. CLAPP].

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on the amendment offered by the Senator from Minnesota to the original amendment.

Mr. CLAPP. Before the vote is taken I want to add one clause to it. The amendment of the Senator from Massachusetts seems to me to be somewhat deficient, "owing to circumstances or conditions arising from the war." It means that they may come after the war has closed, I take it. So in my proposed amendment, line 5, I would insert, after the word "war":

Or within one year after the termination owing to circumstances and conditions arising out of the war.

Mr. LODGE. I have no objection to putting in that limitation of time, but I do object to the other.

Mr. CLAPP. Then I will take them one at a time.

Mr. LODGE. Let it be read.

Mr. CLAPP. First, I move to amend by inserting, after the word "war," in line 5, "or within one year after its termination," so as to read:

During the course of the present European war, or within one year after its termination, or owing to circumstances or conditions arising from the war.

The PRESIDENT pro tempore. The amendment to the amendment will be agreed to unless there is objection. The Chair hears none, and it is agreed to.

Mr. CLAPP. Now, the one objection that might have been made to the amendment of the Senator from Missouri was that it broke down the distinction between those who were to come here ostensibly as farm laborers or farmers eventually and those who might come indiscriminately for all classes of work. So I will offer the amendment which I first proposed, in lines 3 and 4, to strike out the words "from Belgium," and in line 8 strike out the word "Belgian."

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Minnesota to the amendment.

The amendment was rejected.

The PRESIDENT pro tempore. The question recurs upon the adoption of the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr. SMITH of South Carolina. Before the question is put I wish to make merely one statement. This debate has developed the fact that practically all who oppose the amendment have advanced the idea that it is dangerous, and those who have advocated it have taken the trouble to explain wherein in their opinion it would not jeopardize the continuity and the effect of the bill as well as jeopardize us with foreign countries. I hope all those who are in favor of the pending bill being held in its present form will vote down all these amendments.

Mr. POINDEXTER. Mr. President, I move to strike out of the amendment offered by the Senator from Massachusetts the words "the illiteracy test."

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Washington to the amendment.

Mr. POINDEXTER. In this connection I should like to say I fail to see how the war would have any bearing upon the ability of anyone who otherwise might be admitted by this amendment to pass the literacy test. The war has been of very short duration, and the country particularly affected by this amendment has one of the best systems of public schools of any country in the world, and while we may on account of the unusual circumstances in which Belgium is situated extend the so-called asylum principle to some extent through sympathy, or modify the restriction so as to allow organizations in this

country to assist and solicit the immigration of those people, there is nothing peculiar about the situation which would justify us in striking out the literacy test contained in the bill. If there is virtue in that test as it stands in the bill, there is virtue in the same test applied to this particular class of people.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Washington [Mr. POINDEXTER] to the amendment.

Mr. POINDEXTER. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on the adoption of the amendment as amended.

Mr. CUMMINS. I ask that it be stated.

The PRESIDENT pro tempore. The Secretary will state the amendment as it now stands.

The SECRETARY. On page 12, line 18, after the word "guests," insert:

*Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in work of agriculture in the United States and become American citizens.*

The PRESIDENT pro tempore. The question is on the adoption of the amendment. [Putting the question.] The yeas appear to have it. The yeas have it.

Mr. LODGE. Let us have the yeas and nays.

The PRESIDENT pro tempore. We have been making a very liberal application of our rule. The Chair will not seek the benefit of it. Is the call for the yeas and nays sustained?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who is unavoidably absent from the city. In the absence of that Senator I withhold my vote.

Mr. BRYAN (when Mr. FLETCHER's name was called). I desire to state that my colleague [Mr. FLETCHER] is detained from the Senate on business of the Senate. He is paired with the junior Senator from Wyoming [Mr. WARREN].

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Alabama [Mr. BANKHEAD] and vote "yea."

Mr. WALSH (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the Senator from Nevada [Mr. NEWLANDS] and vote. I vote "yea."

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). My colleague [Mr. WARREN] is unavoidably absent from the city. He is paired with the Senator from Florida [Mr. FLETCHER].

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I explained the situation Thursday, and feel at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Kentucky [Mr. CAMDEN] and vote "yea."

Mr. CRAWFORD. I transfer my pair with the senior Senator from Tennessee [Mr. LEA] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "yea."

Mr. VARDAMAN (after having voted in the negative). I have a general pair with the senior Senator from Idaho [Mr. BORAH]. I transfer that pair to the Senator from Louisiana [Mr. RANDELL] and allow my vote to stand.

The result was announced—yeas 34, nays 22, as follows:

#### YEAS—34.

Brandes	Lee, Md.	Pittman	Swanson
Bryan	Lodge	Poinexter	Thomas
Burton	Myers	Pomerene	Thornton
Clapp	Nelson	Reed	Walsh
Crawford	Norris	Root	Weeks
Hughes	O'Gorman	Simmons	Williams
James	Oliver	Smith, Ga.	Works
Johnson	Overman	Smith, Md.	
Kern	Perkins	Sterling	

#### NAYS—22.

Ashurst	Gore	McCumber	Smith, S. C.
Bristow	Gronna	Martine, N. J.	Townsend
Chamberlain	Hardwick	Page	Vardaman
Cummins	Jones	Robinson	White
Dillingham	Kenyon	Shafroth	
Gallinger	Lane	Sheppard	



## NOT VOTING—40.

Bankhead	Culberson	Lippitt	Shively
Borah	du Pont	McLean	Smith, Ariz.
Brady	Fall	Martin, Va.	Smith, Mich.
Burleigh	Fletcher	Newlands	Smoot
Camden	Goff	Owen	Stephenson
Catron	Hitchcock	Penrose	Stone
Chilton	Hollis	Ransdell	Sutherland
Clark, Wyo.	La Follette	Saulsbury	Thompson
Clarke, Ark.	Lea, Tenn.	Sherman	Tillman
Clait	Lewis	Shields	Warren

So Mr. LODGE's amendment as modified was agreed to.

Mr. POINDEXTER. I offer an amendment to the amendment just adopted.

The PRESIDENT pro tempore. It will be stated.

The SECRETARY. Strike out the word "Belgian" and insert in lieu thereof the following—

The PRESIDENT pro tempore. The amendment has just been adopted, and the amendment to the amendment can not be offered as in Committee of the Whole.

Mr. POINDEXTER. I wish to make a parliamentary inquiry. Can it be done in the Senate?

The PRESIDENT pro tempore. It can.

Mr. POINDEXTER. I reserve the right to offer the amendment in the Senate. I ask to have it stated at this time.

The PRESIDENT pro tempore. The Secretary will read the amendment.

The SECRETARY. The Senator from Washington [Mr. POINDEXTER] will propose in the Senate the following amendment:

Strike out the word "Belgium" in the portion just agreed to and insert in lieu thereof:

Any country whose territory has been violated contrary to the provisions of articles 1 and 2 of the convention respecting the rights and duties of neutral powers and persons in war on land, ratified between the United States of America and other powers on February 23, 1909.

Mr. JONES. I ask unanimous consent to present for printing and reference to the committee an amendment to the legislative, and so forth, appropriation bill.

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of South Carolina. I object.

The PRESIDENT pro tempore. Objection is made. The bill is still as in Committee of the Whole and open to amendment. If no further amendments be offered, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. POINDEXTER. I now offer the amendment of which I gave notice.

The PRESIDENT pro tempore. The Senator from Washington submits an amendment, which will be read.

The SECRETARY. On page 12, in the amendment agreed to, line 1, after the word "guests," strike out the word "Belgium" and insert:

Any country whose territory has been violated contrary to the provisions of articles 1 and 2 of the convention respecting the rights and duties of neutral powers and persons in war on land, ratified between the United States of America and other powers on February 23, 1909.

The PRESIDENT pro tempore. The question is on the adoption of the amendment of the Senator from Washington [Mr. POINDEXTER].

Mr. POINDEXTER. Mr. President, I only desire to say a word in regard to the amendment. I am very much inclined to think that, so far as its actual operation is concerned, the amendment of the Senator from Massachusetts, which has been discussed so long and which was adopted, will be a perfect dead letter.

A short time ago in the tariff bill we undertook to incorporate a provision discriminating in favor of American ships. When it came to put it into operation we were confronted by the objections of foreign countries based upon our treaties. Similar objection will undoubtedly be made to this amendment under what is commonly designated as "the favored-nation clause." The result of that objection would not be that immigrants from other countries would be admitted because those from Belgium are admitted, but the result would be that the amendment would not be enforced; it would be, as I have said, a perfect dead letter.

If there is a real intention to accomplish the object set out in the amendment, and a general provision such as that which I have just proposed is adopted, which is applicable to any country in the world coming within those general terms, no such objection could be made by a foreign country under a treaty, and it could be put into effect.

I am not particularly concerned about this amendment, but I do think, if we are going to undertake to extend the benefit of asylum to the Belgians, we ought to do it in an effective way. There is no more difficulty in determining who is entitled to admission into this country under this proposed amendment than there is to determine who is entitled under half a dozen

other provisions of the bill such as deal with the immigrant's mental condition, his ability to earn a living, whether or not he is liable to become a public charge, or whether or not he is psychopathically inferior, or something of that kind which the bill provides.

The convention between the United States and various other countries entitled "Convention respecting the rights and duties of neutral powers and persons in war on land," which was ratified by the United States on February 23, 1909, being translated contains a list of the signatories to it; and the first one that I notice in the English translation is "His Majesty the German Emperor, King of Prussia," and the second one is the "President of the United States of America." So that the United States of America, being one of the great signatories of the convention, has a very substantial ground for making a violation of it one of the subjects to be considered in its immigration laws and in determining the qualification of aliens for admission to this country. Article 1 of this convention is in the following language:

The territory of neutral powers is inviolable.

Article 2 is in the following language:

Belligerents are forbidden to move troops or convoys of either munitions of war or supplies across the territory of a neutral power.

Now, I make bold to say, Mr. President, that in the case of Belgium both the first and second articles of this convention have been violated, and citizens of that country would come within the terms of this amendment. I do not think that there is any other country at the present time that would be so subject. I think Belgium stands out as the great solitary exception in the entire world. But the terms are general; no one could complain; and it would give effect to this provision.

Mr. WILLIAMS. Mr. President, I entirely sympathize with what the Senator from Washington [Mr. POINDEXTER] has just said, and yet I think that all that he has said constitutes a better matter of argument upon the part of the Government of the United States, if anybody should raise the favored-nation clause; if anybody should attempt to raise it, then all we have to do is to point to those two articles of the treaty which the Senator has just read and also point to the treaty of 1830, or whatever it was, between Prussia and France and Great Britain neutralizing Belgium. All that is a matter of argument, and it does not seem to me that the favored-nation clause could be raised against this provision any more if we fail to mention the name or merely refer to some article of some treaty or use a description than if we did mention the name but were able to prove that Belgium was in this peculiar condition. It seems to me that all that might very well be relegated to the diplomatists as a matter of argument, if the question is ever raised, and I apprehend that it never will be raised.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Washington [Mr. POINDEXTER].

The amendment was rejected.

The PRESIDENT pro tempore. Unless there is objection, the amendments made as in Committee of the Whole will be concurred in. The Chair hears no objection.

Mr. CUMMINS. I offer the amendment which I send to the desk as a new section.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to add as a new section the following:

SEC. —. It shall be the duty of the Department of Labor and the Department of Commerce to closely observe the industrial conditions of the country, and if at any time it shall be the opinion of either department that the immigrants to be expected in the immediate future by reason of their number or character will materially increase the number of unemployed people of the United States or reduce our standard of compensation to wageworkers, the department which so finds or believes shall at once report the same directly to Congress, with such facts as may be at hand and such reasons as may be pertinent to the conclusions reached.

Mr. SMITH of South Carolina. Mr. President, as that seems to me in line with the purpose of the bill, as chairman of the committee I am perfectly willing to accept the amendment.

The PRESIDENT pro tempore. The question is on the adoption of the amendment.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question is on the passage of the bill.

Mr. MARTINE of New Jersey. On that question I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In his absence I withhold my vote.

The PRESIDENT pro tempore (when the name of Mr. CLARKE of Arkansas was called). I am paired with the junior Senator from Utah [Mr. SUTHERLAND]. He is absent, and as I am not advised as to how he would vote if present, I withhold my vote.

Mr. CRAWFORD (when his name was called). I transfer my pair with the senior Senator from Tennessee [Mr. LEA] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "yea."

Mr. BRYAN (when Mr. FLETCHER's name was called). My colleague [Mr. FLETCHER] is absent on business of the Senate. He is paired with the junior Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "yea."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Kentucky [Mr. CAMDEN] and vote "yea."

Mr. OLIVER (when Mr. PENROSE's name was called). My colleague [Mr. PENROSE] is absent from the Senate on account of illness. He stands paired on this vote with the senior Senator from Tennessee [Mr. LEA]. If my colleague were present and at liberty to vote, he would vote "yea."

Mr. PITTMAN (when Mr. SAULSBURY's name was called). I am requested to state that the Senator from Delaware [Mr. SAULSBURY] is absent on official business and that he is paired with the Senator from Rhode Island [Mr. COLT].

Mr. VARDAMAN (when his name was called). I have an understanding with the Senator from Idaho [Mr. BORAH], with whom I am paired, and I vote "yea."

Mr. WALSH (when his name was called). I am paired with the Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). My colleague [Mr. WARREN] is unavoidably absent from the city. He is paired with the Senator from Florida [Mr. FLETCHER].

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE], but in consequence of information given me by his colleague and by the Senator from Massachusetts, and in consequence of a telegram received by his secretary from him, I know that he would vote "yea" if present. I therefore consider myself freed from the pair, and I vote "yea."

Mr. SWANSON. I desire to announce that my colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of illness in his family. If he were present, he would vote "yea." He is paired with the junior Senator from Illinois [Mr. SHERMAN], who I understand would vote "nay."

Mr. CLAPP. While I made the statement early this morning, I think it is only proper to repeat it, that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained at his home on account of a death in his family.

Mr. GALLINGER. I am requested to announce that the Senator from Illinois [Mr. SHERMAN] is detained from the Senate on account of illness in his family, and, as announced by the junior Senator from Virginia [Mr. SWANSON], he is paired with the senior Senator from Virginia [Mr. MARTIN].

Mr. DILLINGHAM (after having voted in the affirmative). I find that the Senator from Maryland [Mr. SMITH], with whom I have a pair, is absent. So I transfer my pair with that Senator to the Senator from Idaho [Mr. BRADY] and allow my vote to stand.

Mr. JAMES. I desire to state that my colleague [Mr. CAMDEN] is necessarily absent from the Senate and is paired. I am informed by his secretary that he has received a telegram from him stating that if he were present he would vote for the bill.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. ASHURST. I rise to announce that my colleague [Mr. SMITH of Arizona] is unavoidably absent, and that, if present, he would vote in favor of the bill.

Mr. GALLINGER. I am requested to announce the following pairs:

The Senator from Maine [Mr. BURLEIGH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Delaware [Mr. DU PONT] with the Senator from Texas [Mr. CULBERSON];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN]; and

The Senator from Wisconsin [Mr. STEPHENSON] with the Senator from Kansas [Mr. THOMPSON].

The result was announced—yeas 50, nays 7, as follows:

#### YEAS—50.

Ashurst	Hitchcock	Oliver	Smith, S. C.
Bristow	Hughes	Overman	Sterling
Bryan	James	Page	Swanson
Burton	Johnson	Perkins	Thomas
Chamberlain	Jones	Pittman	Thornton
Clapp	Kenyon	Polindexter	Townsend
Crawford	Kern	Pomerene	Vardaman
Cummins	Lane	Robinson	Weeks
Dillingham	Lee, Md.	Root	White
Gallinger	Lodge	Shafroth	Williams
Gore	Myers	Sheppard	Works
Gronna	Nelson	Simmons	
Hardwick	Norris	Smith, Ga.	

#### NAYS—7.

Brandegge	Martine, N. J.	Ransdell	Walsh
McCumber	O'Gorman	Reed	

#### NOT VOTING—39.

Bankhead	Culbertson	McLean	Smith, Md.
Borah	du Pont	Martin, Va.	Smith, Mich.
Brady	Fall	Newlands	Smoot
Burleigh	Fletcher	Owen	Stephenson
Camden	Goff	Penrose	Stone
Catron	Hollis	Saulsbury	Sutherland
Chilton	La Follette	Sherman	Thompson
Clark, Wyo.	Lea, Tenn.	Shields	Tillman
Clarke, Ark.	Lewis	Shively	Warren
Colt	Lippitt	Smith, Ariz.	

So the bill was passed.

#### HOUSE BILL REFERRED.

H. R. 19906. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and referred to the Committee on Post Offices and Post Roads.

#### PETITIONS AND MEMORIALS.

Mr. ROOT presented petitions of sundry citizens of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. OLIVER presented a memorial of Liberty Grange, No. 1182, Patrons of Husbandry, of Port Allegany, Pa., remonstrating against the enactment of legislation placing the delivery of mail in rural districts upon a contract basis, which was referred to the Committee on Post Offices and Post Roads.

Mr. NORRIS presented a petition of the Western Swedish Conference of the Methodist Episcopal Church, of Ong, Nebr., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented the petition of Mrs. H. J. Matthews, of Burwell, Nebr., praying for the enactment of legislation to increase the pensions of widows of Civil War veterans, which was referred to the Committee on Pensions.

Mr. KERN presented a petition of 136 citizens of Bremen, Ind., praying for the prohibition of the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of West Terre Haute and Goshen, Ind., remonstrating against the transmission of anti-Catholic publications through the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Frank Britton Camp, United Spanish War Veterans, of Crawfordsville, Ind., praying for the enactment of legislation to grant pensions to widows and orphans of Spanish War veterans, which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Elkhart, Ind., praying for the enactment of legislation to create a volunteer officers' retired list, which was ordered to lie on the table.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRONNA:

A bill (S. 7102) granting a pension to John E. Halaas (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7103) for the relief of W. R. Wells; to the Committee on Claims.

A bill (S. 7104) granting a pension to John Hamilton (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 7105) granting a pension to Sue F. B. Prindle (with accompanying papers); and



A bill (S. 7106) granting an increase of pension to Susan Bryant (with accompanying papers); to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 7107) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.; to the Committee on Commerce.

By Mr. POMERENE:

A bill (S. 7108) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional surveys by the Coast and Geodetic Survey; to the Committee on Commerce.

By Mr. PITTMAN:

A bill (S. 7109) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes; to the Committee on Public Lands.

By Mr. THOMAS:

A bill (S. 7110) granting an increase of pension to Mary Jane Drew; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 7111) granting a pension to George A. Atkinson; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 7112) authorizing and directing the Secretary of War to muster Dr. John A. Bobb, deceased, a brigade surgeon, with rank of major, from assistant surgeon (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 7113) granting an increase of pension to Charles E. Rogers (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND (for Mr. SMITH of Michigan):

A bill (S. 7114) for the relief of Ethel Proctor (with accompanying papers); to the Committee on Claims.

A bill (S. 7115) granting an increase of pension to Benjamin S. Wilbur (with accompanying papers);

A bill (S. 7116) granting a pension to Sarah Spencer (with accompanying papers);

A bill (S. 7117) granting an increase of pension to Fernando W. Moon (with accompanying papers);

A bill (S. 7118) granting a pension to Lola I. Pope (with accompanying papers); and

A bill (S. 7119) granting an increase of pension to Imogene M. Burke (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 7120) for the relief of persons making simultaneous settlements on the same tract of the public lands; to the Committee on Public Lands.

By Mr. HARDWICK:

A bill (S. 7121) for the relief of the heirs of Solomon Cohen; and

A bill (S. 7122) for the relief of the legal representatives of Henry D. Geddings; to the Committee on Claims.

By Mr. GALLINGER:

A bill (S. 7123) to create a tariff board; to the Committee on Finance.

A joint resolution (S. J. Res. 217) to repeal an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; to the Committee on Finance.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. MYERS submitted an amendment proposing to appropriate \$26,000 for the purchase of a tract of land known as the Macauley ranch, adjoining the United States Army post at Fort Missoula, Mont., for the use and benefit of the post as a target range, etc., intended to be proposed by him to the Army appropriation bill (H. R. 20347) which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. JONES submitted an amendment proposing to appropriate \$27,500 for assistance to the Committee on Appropriations, the Committee on Commerce, the Committee on the District of Columbia, etc., of one clerk each at \$2,750, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

#### THE MERCHANT MARINE.

Mr. GALLINGER. Senate Document No. 225, Sixtieth Congress, first session, entitled "Development of the American Ocean Mail Service and American Commerce," is out of print, and there have been many calls for it. I move that 1,000 copies be printed for the use of the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 40 minutes p. m., Saturday, January 2, 1915) the Senate adjourned until Monday, January 4, 1915, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

SATURDAY, January 2, 1915.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless, praise, and magnify Thy holy name, O God our Father, for the continuation of Thy gifts unto the children of men. In the sweep of time another year has passed into history, and we most earnestly pray that we may be the better prepared by its experiences to enter upon the new year, that it may bring to all Thy children peace, happiness, and good will, that Thy kingdom may be advanced and Thy will be done in every heart. In the name and spirit of Him who taught us life and the immortality of the soul. Amen.

The Journal of the proceedings of Thursday was read and approved.

CHARLES A. COULSON.

Mr. HAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13698, to correct the military record of Charles A. Coulson, and concur in the amendment of the Senate.

The SPEAKER. The Clerk will read the bill by title.

The Clerk read as follows:

H. R. 13698. A bill to correct the military record of Charles A. Coulson.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was read.

The Senate amendment was agreed to.

#### INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20150, the Indian appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916.

Mr. STEPHENS of Texas. Mr. Chairman, Thursday I yielded one hour to the gentleman from Indiana [Mr. Moss], and he has not occupied the whole of that time.

The CHAIRMAN. The gentleman from Indiana is recognized for 30 minutes.

Mr. MOSS of Indiana. Mr. Chairman and gentlemen, I sympathize with those who express impatience at the progress of rural-credit legislation, but I can not believe it possible that this legislation will be agreed to by the House without a full discussion of the principles which necessarily will give shape to the measure that will finally be adopted. I have been scrupulously careful to avoid any personal references which in any way can reflect to the discredit of any Member. I trust that it will not be considered discourteous, while I am discussing a principle applying to the entire subject of mortgage banking and not the provision of any particular bill, if I should prefer to continue until I shall have presented the arguments as I have prepared them without yielding to any gentleman on the floor.

When I was discussing the Moss bill and the Bulkley bill I was glad to yield to Members, even to the extent of being taken off the floor by the discussion that ensued before my remarks were concluded. But I am discussing no particular bill now, and I trust I may be permitted to continue in a connected manner.

We now turn to the land-purchase act of Ireland which has been cited as a reason why our Government should extend direct financial assistance to the proposed system of mortgage banks. The activities of Sir Horace Plunkett and of his associates who organized the Irish Agricultural Organization Society are not projected toward the granting of land-mortgage credit, but to the organization of personal credit and of coop-